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No. 7 1935

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# PARSON BROWNLOW'S TOUR OF THE NORTH DURING THE CIVIL WAR*

By E. Merton Coulter

In times of stress people must have heroes. Robert Anderson, of Fort Sumter fame, became the rallying cry to raise up soldiers for the first Civil War battle, but his reputation tarnished as the feeling developed that he had given up the fort too easily. Oliver Ellsworth marched his comical Zouaves up hills and down and made himself known to many people; and then when he took to serious war and sought to cut down the Confederate flag on the Marshall House in Alexandria, Virginia, he was himself shot down by the hotel keeper and thereby was made for his country into another hero, though a dead one. Charles Wilkes humbled Great Britain when he stopped the *Trent* and took off James Mason and John Slidell, the Confederate agents, and awoke to find that his name led all the rest in a country that needed another hero and a live one. But soon the people were to see that Captain Wilkes had done nothing more than what the British, themselves, had been doing for centuries, and there straightway developed a vacancy in heroes.

It was, therefore, an opportune time for Parson William G. Brownlow to make his appearance, and ride upon a reputation made in a fashion quite different from any one so far used. He was, indeed, not entirely unknown in the North, for he had gone to most of the Whig national conventions and he had carried on his memorable slavery debate with Parson Pryne a few years before, in Philadelphia. But the North had never known the hero that was now in the making; heretofore, he had been an intense partisan of the Southern people and Southern slavery, now through a miraculous transformation he would devastate those people with as terrible destruction as he had formerly dealt out to his worst enemies in the North. He was now to sweep across the Northern sky, and in every ligament and characteristic become familiar throughout the land.

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*Delivered as an address at the annual banquet of the East Tennessee Historical Society at the Andrew Johnson Hotel, Knoxville, October 12, 1934. This paper is part of an extensive study of Brownlow, made by the author.



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This is what Northerners saw and admired: He was six feet tall, but somewhat short of the 175 pounds which he had at one time weighed; he was almost fifty-seven years old, "and, although rather *hard-favored* than otherwise," he would "pass for a man of forty years." He was high-strung and taut, vibrating with restless energy. Though an orator, he spoke in a loud voice, and revelled in making speeches bristling with pointed darts of venom and vituperation. Three years previously he had suffered an attack of bronchitis which left him for two years unable to speak above a whisper, though he had gone at various times to the best doctors in New York for treatment. Yet he had known the time when he "could be heard by an audience of any size"—when, indeed, he had "been able for four or five dreadful hours on a stretch to speak in the open air." This voice, which seemed so stubborn that it could not be coaxed back through temperance talks or even sermons, was upon the Parson's new introduction to the North, to the Stars and Stripes, and to freedom, to re-appear as he told of his wrongs and poured out hot hatred and vengeance upon the South. The farther he penetrated the North and the more terribly he condenmed the traitors, the stronger his voice became, until it could be heard again for a half mile. Such was the physical Parson.[1]

The mental and moral Parson followed these specifications: He had a pugnacious and decisive nature, which led him to take part in all the religious and political controversies of his time. As he told his awe-stricken readers and listeners, "For the last thirty-five years of my somewhat eventful life I have been accustomed to speak in public upon all the subjects afloat in the land, for I have never been neutral on any subject that ever came up in that time."[2] Though known "throughout the length and breadth of the land as the 'Fighting Parson,'" he maintained that there was no one more peaceably inclined toward his neighbors than himself. He further introduced himself as an extraordinary person. He had never been arraigned in his church for immorality; he never played a card; he was never

[1] Oliver P. Temple, *Notable Men of Tennessee from* 1833 *to* 1875, *their times and Contemporaries* (New York, 1912), 281, 284; *Portrait and Biography of Parson Brownlow, the Tennessee Patriot. Together with his last Editorial in the Knoxville Whig; also, his recent speeches, rehearsing his Experiences with Secession, and his Prison Life* (Indianapolis, 1862), 26; *Suffering of Union Men. An Address by Parson Brownlow (Rev. W. G. Brownlow, D.D.) delivered before the Citizens of New York, at the Academy of Music, May* 15, 1862, p. 9; W. G. Brownlow, *Sketches of the Rise, Progress and Decline of Secession; with a Narrative of Personal Adventures among the Rebels* (Philadelphia, 1862), 18. Referred to hereafter as *Parson Brownlow's Book,* which is the binder's title.

a profane swearer; he "never drank a dram of liquor, until within a few years,—when it was taken as a medicine;" he never smoked a cigar or chewed a quid of tobacco; he never attended a theatre; he never saw a horse-race except at the fair-grounds of his own county; and he never courted but one woman and her he married.[3]

Brownlow's course following the secession of Tennessee had been characterized by such vitriolic opposition to the Confederacy that he soon became a major problem for President Jefferson Davis. After being imprisoned in Knoxville for a time, he was liberated and banished to the North. At twelve o'clock noon, on March 15, 1862, the Parson with a flag of truce up alighted from his buggy in the Union lines, five miles out from Nashville, and now again he breathed the pure air of the *United States*. On his trip he had been somewhat wrinkled and drawn in his countenance, but on seeing the Federal soldiers, he swelled up, his wrinkles disappeared and he shouted out, "Glory to God in the highest, and on earth peace, good will toward all men, except a few hell-born and hell-bound rebels in Knoxville."[4] He announced that he was "Parson Brownlow," and then he began shaking the hands of the soldiers who crowded around him. Soon officers made their appearance, and the Parson was conducted to General Don Carlos Buell, who greeted him with great cordiality and sent him to the St. Cloud Hotel. The general did not neglect to find out all the Parson knew about the Confederate armies and the fortifications through which he had recently passed. On reaching the hotel the Parson's identity was discovered by a group of soldiers who crowded in upon him to gaze at this fighter from East Tennessee and to listen to the conversation which he had struck up with some acquaintances in the lobby. Horace Maynard, Emerson Ethridge, and other expatriated East Tennesseans soon learned that the Parson was in town, and hurrying to the lobby they enacted amidst gaping straggling soldiers scenes of tears and pathos.

Brownlow was undoubtedly one of the greatest attractions that had come to Nashville since the arrival of the Federal army. And here fate was to play some of its strangest pranks. Andrew Johnson and Parson Brownlow may not have traveled a great distance geographically to meet in Nashville but they had travelled an infinite distance mentally. They both arrived about the same time, the one Brigadier-General Andrew Johnson, military governor of Tennessee,

[2] *Ibid.*, 18; *Suffering of Union Men*, 8.
[3] *Parson Brownlow's Book*, 19.
[4] Temple, *Notable Men of Tennessee*, 315.

the other plain William G. Brownlow, "the fighting Parson of the Southern Highlands." It seemed the Parson was about to become a greater attraction than the governor; the two certainly must meet. Brownlow had fought Johnson "systematically, perseveringly, and untireingly, for the last twenty-five years. . . . He has scored me on every stump in the state of Tennessee, and I have paid him back to the best of my ability." And then the two former enemies met, "rushed into each others arms, and wept like children." They sank the hatchet in a briny effusion and parted fast friends. Though not ecstatic in his praise of the new governor, Brownlow felt sure that the choice would please Union men generally. It pleased the Parson particularly to know that Johnson felt "all the malice and venom requisite for the" times.[5]

Brownlow remained in Nashville a week, during which time he continued to be a great attraction. There was much Union speech-making going on in this centre of sullen secessionists. The Parson heard Ethridge speak for two hours to 1200 people; he would soon hear Maynard speak for two and a half hours; he would certainly make a speech himself, for the crowds around the St. Cloud Hotel would demand it. His time came soon. He spoke in front of the hotel in a biting March wind, but he had not been away from the "bogus Confederacy" sufficiently long to regain completely his voice. He spoke only a few minutes but he had strength enough to tell the crowd that he had been thrown in jail at Knoxville, that he had served out his time, and that on seeing the Federal troops he "felt like a new man." Declaring that the Confederacy was tottering, he ended his speech with a cry, "Grape for the Rebel masses, and hemp for their leaders!" Henry Villard heard him and thought that he was "a very entertaining talker, and spoke most movingly, with flashing eyes and pointing finger, of the wrongs to himself and to his fellow-Tennesseeans."[6]

The Parson found the ladies in Nashville more rebellious and bitterly unyielding than any other class of citizens, but they were not all so, for a Union lady presented him with a bouquet. There were also other Union ladies in and about Nashville, for he attended a tea given by some of them, and with others he planted himself on Spruce

[5] *Portrait and Biography of Parson Brownlow,* 28, 55; Temple, *Notable Men of Tennessee,* 316; *Independent,* May 22, 1862; *Putnam's Magazine,* III, No. 16 (April, 1869), 434.

[6] *Memoirs of Henry Villard, Journalist and Financier,* 1835-1900 (Boston, 1904), I, 234; *Portrait and Biography of Parson Brownlow,* 17, 18.

Street to help them wave handkerchiefs as the Union army marched by. And this little patriotic party did not stand unnoticed by the troops. Each regiment halted, played a patriotic air, and cheered for "Parson Brownlow and the Ladies."[7]

When Brownlow had reached Nashville he could not forget that here had been the capital of Southern Methodism, and that the Baptists had made it one of their strongholds. He could not help but think that the worst class of men in the South were preachers, and as for Summers, McFerrin, and McTyeire, he learned that they had fled, leaving their book concern vacant. But God be praised for good old Bishop Soule, now eighty years old! A Federal chaplain, having visited him shortly before at his home near Nashville, had found him reading the Constitution of the United States. On the other hand, the "notorious J. R. Graves, the Baptist editor," had fled ingloriously before the oncoming Federal troops.[8]

The Parson had left Knoxville with few if any plans for the future except to speed the day when the Federal troops would rescue his East Tennessee. There quickly passed through the minds of certain people great possibilities. The country was in dire need of a hero who would make Northerners hate their erstwhile Southern brothers so intensely that they would be willing to shoulder arms and slay them if they could. It was soon evident that the Parson had no equal in beating the war tom-toms and firing the minds of the people. This was so, both because of the story he had to tell and because of the manner of his telling it. Soon, therefore, came in a stream of invitations from Northern cities whose citizens were felt to be insufficiently interested in the war, begging the Parson to come and speak. He should be well paid for his trouble. Even President Lincoln urged him to visit Washington. Here was the Parson's chance: he would make a triumphal procession through the North, inciting Northerners against Southerners, gratifying his own very natural desire to be lionized for what he had done and suffered in East Tennessee, and at the same time accumulate enough money to make it possible to return home, when it should be rescued, and begin where he had left off with his *Whig* newspaper.

He set out for the North down the Cumberland, on the *Jacob Strader,* "that floating palace," and on March 23, 1862, he arrived at Fort Donelson, "where the late terrible battle was fought." He

[7] *Parson Brownlow's Book,* 384, 390, 391.
[8] *Ibid.,* 392-394.

saw arms and legs of dead soldiers, protruding from the shallow graves, and the stench was so offensive that he stayed as far away as possible. The boat hooked up here for the night, but there was no rest for the Parson, for his reputation had already got too far ahead of him. Troops from the Northwest, passing up the river, heard that he was on the boat. They immediately surrounded the craft and demanded a speech. Forced out on deck, he made them a short talk, in which he riddled the Confederacy and tried to madden his hearers by declaring that that government was torturing women and children. The Confederates were fleeing southward, and he predicted a great battle would be fought if the Federals could catch up with them.[9]

Resuming his journey down the Cumberland into the Ohio, he continued up this river and arrived in Cincinnati on March 28. He was met at the wharf by representatives of the Gibson House, who offered him their hospitalities as long as he should remain in the city. The Union committee immediately called upon him and escorted him to the Merchants' Exchange, where he made a short address before "a vast assemblage of the best men in the Queen City." He was then taken sight-seeing to view the wonders of the "most populous city of the West." For the next few days the city revolved around the Parson, biding the time when he should deliver his principal address. Meanwhile, he was making himself handy, praying at a funeral one time and becoming the center of animated conversation at another.[10]

On April 4 the Parson addressed an immense audience in Pike's Opera House. Every seat was filled and the crowd overflowed into the aisles. According to the *Cincinnati Gazette,* the opera house had likely never before accommodated such a large and refined assemblage. The house was decorated with flags. Across the front part of the stage were two tiers of seats for the honorary vice-presidents and toward the rear was a raised platform on which were seated 372 school children, who sang a special song of welcome ending with the lines:

> Thus speaks he, the hero! Then sing with one voice:
> We love and revere him, in his presence rejoice!
> Then hail him again, and forever and aye!
> His country he loves, and for it he would die!

[9] *Ibid.,* 396-399.

[10] *Cincinnati Daily Commercial,* March 29, April 1, 1862; *Parson Brownlow's Book,* 399, 400; *Irreligious Character of the Rebellion. An Address by Parson Brownlow, delivered before the Young Men's Christian Association, at the Cooper Institute,* May 19, 1862, p. 33.

Thereupon the Parson was introduced as the model patriot, whom the historians would pick out from all the other heroes for his matchless courage and patriotism. Then for an hour and twenty minutes Brownlow held up before the great audience his ancestry, his politics, both recent and remote, his experiences in East Tennessee, and the heart-rending jail scenes. He did not fail to mention his bronchitis and the fact that his voice was getting stronger the more he denounced the vile heresies of secession. He was a Southerner and his opinions did not change with the section of the country in which he might find himself. He still believed in slavery but he was for the Union first, even *"though every institution in the country perish."* The South was more to be blamed for the war than was the North. But he would say:

> If I had been authorized, some two or three years ago, to select about two or three hundred of your most abominable anti-slavery agitators in the North, and an equal number of our God-forsaken and most hell-deserving Disunionists at the South, and had marched them to the District of Columbia, hanged them on a common gallows, dug for them a common grave, and embalmed their bodies with *jimson-weed* and *dog-fennel,* there would have been none of this trouble, nor should I have been here to-night!

He would have all rebel property, including the negroes, confiscated and be used to recompense the losses of the Unionists. He declared that rebellion had pretty well "played out" and predicted that the Federal troops would "wind the thing up this spring and summer." Already the blockade had almost starved out the South, and he closed his speech on this key, concluding, "It has been remarked on the streets of Knoxville that no such thing as a fine-toothed comb was to be had, and all the little secession heads were full of squatter sovereigns hunting for their rights in the territories."[11]

Short addresses were made by General S. F. Cary, a native Cincinnatian and a widely travelled temperance lecturer, and by John F. Fisk, the president of the Kentucky Senate. Thereupon came a lengthy set of resolutions declaring that the Union must be preserved and maintaining that Brownlow was a true and intrepid patriot. The meeting ended with the song, "Hail, Columbia." As the admission had been fifty cents, the Parson was doubly grateful for his large

11 *Cincinnati Daily Commercial,* April 5, 1862; *Portrait and Biography of Parson Brownlow,* 22-26; *Parson Brownlow's Book,* 401-425.

audience, for he was enriched in the amount of $1,125. He gratefully accepted this sum with a reference to the plight in which his wife and children found themselves.[12]

Preachers preyed much on Brownlow's mind. He addressed a meeting of the ministers of Cincinnati and seized the occasion to condemn again the Southern clerics. He declared that "High functionaries in the Episcopal Church are now drinking and swearing." In the South many of the ministers preached on Sunday, "but swear and get drunk during the week." He spoke of a recent meeting in Knoxville wherein a minister had prayed that the Lord would sink Burnside's fleet and raise Lincoln's blockade. "And at it they went," continued Brownlow, "composed of many old clerical rips, who besieged a throne of grace, raising their hands heaving and setting like an old Tennessee ram at a gate post, that God would send lightning and storm and raise the blockade." Instead, the Lord gave Roanoke Island to Burnside. There was just one thing the Parson would put before the Union—the Christian religion.[13]

Brownlow set out northward in tow of General Cary, who had received his title through his position in the recruiting service.[14] The general considered the Parson his best means for raising Federal armies. The *modus operandi* consisted of the Parson's set speech, which he had first tried out in Cincinnati, and then while the heat was white the general would strike a blow for the recruiting service. They stopped first at Dayton, a large audience was addressed, and on April 8, they arrived in Indianapolis. On the trip they had been accompanied by the mayor of Indianapolis and they received one "continued ovation during the journey."

On their arrival at the Indiana capital they became the guests of Governor Oliver Perry Morton. The Parson spoke in Metropolitan Hall to a crowd equal to any that had ever gathered there. The governor, Mayor Maxwell, and many other eminent people sat upon the stage as the Parson delivered his set speech. When he concluded, "Glory Hallelujah" was sung. Then the governor announced "a brilliant victory" which the Federal troops had recently won. This news greatly excited the audience and the "patriotic Parson joined

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[12] *Cincinnati Daily Commercial,* April 7, 1862.

[13] *Portrait and Biography of Parson Brownlow,* 30-45.

[14] Cary was a native of Cincinnati. He was elected to the fortieth Congress (1867-1869), and in 1876 he was nominated vice-president on the Greenback ticket. For a short sketch of Cary, see *Biographical Directory of the American Congress,* 1774-1927 Washington, 1928), 793.

with the assemblage, and waived his handkerchief exultingly."[15] It was the opinion of competent judges that this meeting was "the most intellectual and spirit-stirring entertainment Indianapolis has ever had."[16] Governor Morton knew the Parson well enough to realize how well he would enjoy going out to Camp Morton to see 5,000 Confederate prisoners, some of whom no doubt were the same soldiers who had pestered him back in Knoxville. He could not resist making them a speech, now that he had them where they could not run away. He spoke to them after a manner which got for him "no very cordial reception." In fact some of them cried, "Traitor to the South," "Put him out."[17]

The Parson and the general left Indianapolis and passed through one great ovation on their way to Chicago. They had decided to go because the Chicagoans had adopted such complimentary resolutions that the Parson felt he could do nothing less than visit them. The board of aldermen appointed a committee, to which were added representatives from the commercial exchange, to go out and welcome him as he neared the metropolis. They awaited him at Michigan City, where Federal Judge Drummond honored him with a complimentary speech. The party now passed into Chicago and deposited the Parson on the bountiful hospitality of the Sherman House. As soon as possible after his arrival he went out to Camp Douglas to take a triumphant look at the enemy prisoners there—again 5,000 of them. He made them a short speech, but he seems to have pursued tactics different from those he employed at Camp Morton, for they made neither harsh remarks nor menacing motions.

Brownlow and Cary made their first formal speeches before the merchants exchange. Mayor Ramsey introduced the Parson to the "immense throng," and a member of the board of trade sang his praises, declaring that when the history of the rebellion should be written, "it will be sadly deficient if its pages do not tell, in words that burn, the story of your wrongs, your fortitude, and your unswerving devotion to your country in the hour of her great trial. Our children will need no romance to stir their young hearts; but the truthful picture of your sufferings and heroism will fill the place of high-wrought fiction." No longer, he declared, would it be necessary to turn to the Greeks and Romans for mighty heroes. On the fol-

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[15] *Portrait and Biography of Parson Brownlow,* 49-64.
[16] *Ibid.,* 64.
[17] *Ibid.,* 48, 49; *Parson Brownlow's Book,* 426.

lowing night Brownlow and Cary made their customary speeches to "an overwhelming audience."[18]

The Parson now doubled back on his trail to Cincinnati, passing through Lafayette, Indiana, where he addressed a "large and enthusiastic audience." Ohio at this time had a hero in the person of Congressman Clement L. Vallandigham, whom the Union element desired strongly to replace. Recruiting had shockingly slowed up under his teachings. A loud cry, therefore, went up for the general and the Parson. The legislature, seconded by both branches of the Columbus city council, called upon Brownlow to visit the capital city to perform his act. He arrived at Columbus on April 14, and was met at the station by the 69th regiment with its brass band. He was escorted to the capitol amidst cheering throngs. The speaking took place in the afternoon in the House chamber which was crowded with senators, representatives and "a great number of ladies." Governor David Tod and the Parson, arm-in-arm, marched to the platform, where the governor introduced the Parson to the audience and turned him over to James Monroe, the president of the Senate. President Monroe spoke lengthily on the noble traits that the war had brought out in many people, and held up the Parson as one of the best examples. Thereupon Brownlow spoke his piece, "which stirs and fascinates by its tones of earnestness." In the evening, introduced by ex-Governor Dennison, he spoke for more than an hour. As it was difficult to make politicians into soldiers, the general waited until the meeting in the theatre to spread his recruiting net. Before leaving for the East, the Parson was entertained by the president of the city council at a magnificent banquet attended by many senators and representatives and also by "many handsome ladies."[19]

Brownlow was now about to depart from a region which was somewhat disaffected with the war because many of its people were of Southern ancestry, because it made little money out of the war, and because it felt the horror of men killing men in wholesale fashion. He no doubt left with the feeling that he had whipped up against the South fury sufficient to drive whole armies into General Cary's outstretched arms. He would soon enter a region which was not sending recruits up very fast because too many people were too busy making money out of the national calamity. They did not think much about the horrors of war because they had no time left

[18] *Portrait and Biography of Parson Brownlow*, 65-72; *Parson Brownlow's Book*, 429.
[19] *Ibid.*, 429-436.

for such thoughts amidst the enjoyment of those things which their newly-got fortunes would buy for them. Soon the American correspondent of the London *Times* was sending back dispatches on this order: "There is something saddening, indeed revolting, in the high glee, real or affected, with which the people here look upon what ought to be, at any rate, a grievous national calamity."[20]

On April 17, the Parson reached the forks of the Ohio, where he was met by the combined governmental forces of Pittsburgh and Alleghany City. They gave him the keys to both cities and conducted him to the best hotel, the Monongahela House. In the evening he spoke for an hour and a half to"a crowded hall," and left the next morning early for Philadelphia. He was invited to ride on the locomotive in order that he might, while crossing the mountains, better enjoy the beautiful scenery. The romantic beauty of it, suggesting his own Southern highlands, gripped him and thus he expressed his emotions:

> Poets and tourists may sing and write of "a life on the ocean wave" or "a home on the rolling deep;" but give me a seat in the open locomotive at the head of a long passenger train, and let me cross the Alleghany Mountains from Pittsburgh to the new mountain-city of Altoona, gazing on the dashing streams on the one hand, and the lofty and romantic mountains on the other. The sun was high in the hill of heaven, and the rolling chariot in a cloudless sky; all creation was calm, and sleeping on the bosom of serenity, until aroused by the heavy tread and clear whistle of the iron horse![21]

At Altoona, Pennsylvania, the Parson was met by a group of outriders from Philadelphia including "that prince of fellows, George W. Childs, the extensive and energetic Philadelphia publisher." After a ride across more mountains they arrived at Harrisburg, the "ancient capital of the Keystone State." An "immense concourse" gathered around the train and demanded a speech from the Parson. Introduced by Governor Andrew G. Curtin and invigorated by his mountain scenery, he made a fiery pass at the Confederacy. He would not speak of his troubles in "the kingdom of Jeff Davis," but he would say that the Apostle Paul had fought only with the "beasts at Ephesus," while he, himself, had "fought the 'Devil and Tom Walk-

[20] Quoted in E. D. Fite, *Social and Industrial Conditions in the North During the Civil War* (New York, 1910), 259.
[21] *Parson Brownlow's Book*, 436, 437.

er,' and the infuriated legions of the so-called Southern Confederacy!" His greatest ambition was to go back to set up his Knoxville *Whig* again. "I want to go back," he declared, "and point out to the triumphant Federal army such men as deserve to hang, and suitable limbs upon which to hang them! Nay, I desire to tie the rope around some of their infernal necks." The rebels had hung, shot, tied to trees, and whipped to death East Tennesseans, but a change was coming. After speaking a few minutes the Parson excused himself to go into the "refreshment Saloon" to join, in a cup of coffee, the governor, ex-Governor Porter, and other celebrated people.[22]

Then Brownlow was off for Philadelphia, "being immensely cheered at every station on the railroad, and loudly called for." Though it was about midnight when he arrived, he was met by an official delegation from the city government and welcomed with a short speech. After making his bow in a few remarks he was driven rapidly to the Continental Hotel—"perhaps the most elegant house in America." After being introduced to a number of people who could not wait until morning to meet him, he was shown to his rooms, tired but happy. A few years had produced a wondrous change in the Parson's relations to Philadelphia. The city was now to receive him in a much different fashion from what had taken place when he had been debating, in 1858, the Reverend Abram Pryne. It was only natural that this patriot of '61 should be early driven to Independence Hall, the cradle of the liberties he had been so valiantly defending, and that while there he should think of Washington, and Franklin, and Robert Morris, and of the signers of the Declaration of Independence. A reception was held in the hall, at which time he was properly welcomed by the city. At eleven, he appeared on the flag be-draped stand erected in front of the hall, where he spoke to an "immense audience." He made his set speech with a few changes. Varying his squatter-sovereignty thrust somewhat, he said, "They were out of soap with which to wash dirty faces; they were out of everything, including fine tooth combs; while every little rebel head was full of squatter-sovereigns, looking for 'their rights' among the tangles." Forgetting their dignified Quaker heritage, the audience roared with "tremendous applause and laughter." After he had finished, his admirers were given a chance to meet him. So great was the rush that he retired to the interior, where groups were admitted and received behind locked doors. One timorous lady, who asked a-

[22] *Ibid.*, 437-440.

bout her son in East Tennessee, fainted when the Parson told her that he was a rebel.[23]

On reaching Philadelphia Brownlow could consider that he had completed one of his major campaigns. Yet it seemed there could be no rest in the North for a person of his characteristics. He was being called for from every direction. The report was spread that he had been offered $1,000 a night to "go on the lecture platform," but that he had refused because that would give him more money than he needed.[24] It was also reported that Lincoln had invited him to come to the White House.[25] Before he had reached Philadelphia, the city of Baltimore had invited him to make his speech there.[26] All these offers, real or reported, he refused, for the sound reason that George W. Childs had not gone all the way to Altoona simply in order to be the first to welcome the Parson to Philadelphia. Being a successful publisher he naturally knew that Brownlow could write the kind of book that people would buy. The contract was made and the Parson retired to the little village of Crosswicks, New Jersey. There, in comparative quietude, Brownlow produced a work, the well-known *Parson Brownlow's Book,* which was widely read in the North.

Crosswicks was a quiet sleepy country village. Until the Parson's arrival it had never experienced greater excitement than to have as neighbors four miles away in Bordentown, first "the celebrated infidel Tom Paine" and later for a quarter of a century Joseph Bonaparte, the ex-king of Spain and brother of the great Napoleon. With the arrival of Brownlow, however, the little Quaker settlement waked from its long sleep. Three Quakers soon asked him to speak in their meeting house, a favor never before bestowed upon an outsider. He regaled a "crowded house" with an hour and a half of fervent speaking. In fact the Parson was so much himself on this occasion that, on his own admission, he gave the building a shock such as it had never felt since the days of the Revolution when a cannon ball had plowed a hole through the north wall.[27]

While Brownlow was busily whipping his book together, his family was making its way out of the Confederacy, under a special es-

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[23] *Daily Evening Bulletin* (Philadelphia), April 18, 1862; *Parson Brownlow's Book,* 440-442.
[24] *Daily Evening Bulletin,* April 18, 1862.
[25] *Ibid.*
[26] *Parson Brownlow's Book,* 442-444.
[27] *Ibid.,* 444-446.

cort. In East Tennessee Confederate policy had required this expulsion; but the Parson hastened the departure by his unwise and untrue remarks in Cincinnati and elsewhere that members of his family were being held as hostages for his good conduct. With much effect he informed his Northern audiences that he had told his wife on his departure that she might prepare to be executed, for he planned himself, while in the North, to assail terrifically the Confederacy.[28] He was now in such a heroic mood that it appeared he was willing to sacrifice his wife on the altar of his patriotism.

With his family now safe in Crosswicks, Brownlow launched an attack against Colonel W. M. Churchwell, the Confederate provost-marshall in East Tennessee, who had ordered the expulsion. The former declared that this officer had taken out his spite on helpless women and children because the Parson had once exposed him in a case of personal dishonesty. General E. Kirby Smith, for allowing himself to become the tool of Churchwell, was "little," "sordid," "mean," and "contemptible." There was only one person connected with the expulsion who had possessed gentlemanly instincts, Lieutenant Joseph H. Speed of Virginia. The Parson attributed Speed's good manners to his background of Whiggery and Methodism. Brownlow was especially excited by a report published in a Confederate newspaper that the members of his family were good Confederates. With great force he denied this slander, and explained that the "only difference between us is, that I claim to be capable of despising the wicked concern, and all connected with originating it, with more *intense hatred* than they can."[29]

Less than a month after arriving in Philadelphia, Brownlow was ready to resume his campaign. From all points of the compass came calls for his magnetic presence. New York, the largest city in the land, was anxiously waiting to welcome him; and certainly Washington, the seat of those who held the destiny of the Union in their keeping, had claims upon the Parson which amounted to an obligation on his part to visit that city. Nevertheless, he was as near Washington as he expected to approach, as long as he could well keep away. He was considerably disgusted with Lincoln and the government for their delay in rescuing East Tennessee, and he was not afraid to speak out his sentiments. In early May he exclaimed, "In God's name, I call upon President Lincoln, and upon his cabinet and army officers, to say how long they will suffer a loyal people,

[28] *Cincinnati Daily Commercial*, April 1, 1862.
[29] *Parson Brownlow's Book*, 452.

true to the Union and to the Government of their fathers, to suffer in this way." With growing impatience he declared, "Let the Government, if it have any regard for its obligations, redeem that country at once, and liberate these people, no matter at what cost of blood and treasure. They have suffered these outrages for the last twelve months, and are now desponding,—nay, despairing of any relief."[30] With such thoughts he had set out for New York City.

He knew there would be further adulation for him in the metropolis: there would also be many dollars to be garnered, which he would promise to use in restoring his newspaper in Knoxville; and he might arouse so much indignation against the government's neglect of East Tennessee that Lincoln would be forced to the rescue. So he set out for South Amboy, where New York passengers would transfer from train to ferry, taking with him Mrs. Sawyer, one of his heroic daughters. In 1861 she had defended the flag in the Parson's yard back in Knoxville, and this exploit had so appealed to the Northern mind that it suggested that the daughter would be almost as great an attraction as the father. The New York newspapers were now proclaiming her as a "chip off the old block." The city had already formed its opinion of the great Southern Unionist: a man original in his way of thinking, eccentric in his manner, invincible in his determination, and never giving up an opinion he thought right; a crusader who had fought with his hands, pen, and tongue,—bearing "a name which, though coupled with roughness of exterior, lack of polish and absence of refinement, has not yet been associated with dishonor, or tainted with secession."[31] The editor of the *New York Times* sang forth:

> We have learned here to regard him as the true type of what the Southerner ought to be, and of what in tale and tradition he is represented to be. Daring, self-reliant, earnest, truthful, gentle, in the right cause eloquent, and against the wrong unsparing; patient and unconquerable in persecution and adversity; the soul of honor, with the heart of a woman—these are the elements of true chivalry, and all these are the possession of Brownlow.[32]

New York City awoke on the morning of May 13 early, for the Parson was coming. A reception committee of distinguished citizens boarded the ferry boat at 5:30 for South Amboy to meet the train

[30] *Ibid.*, 453-454.
[31] *New York Times*, May 14, 1862.
[32] *Ibid.*, May 14, 1862.

bringing Brownlow and his party. For four hours they waited and listened before the belated train, decked in flags, pulled into the station. Thereupon "Shout after shout went up from the expectant crowd, and various amusing mistakes were made by people who took and mistook everyone but the right person for the Parson." When the latter came down from the train, nearly all were disappointed. "They expected to see a rough, hardy, keen-featured man, who might pass for a prize-fighter, a bully or a rowdy; instead of which they saw a man slightly built, with stooping shoulders, a round, bullet head, a quiet, pleasant countenance, and an air somewhat depressed, with a travel-stained, dust-laden *tout ensemble* very unlike the ideal."[33]

Though disappointed in his appearance, the people were none the less enthusiastic in their welcome. After being ferried across the bay, the Parson landed amidst a throng of people who lined the streets and cheered him as he was driven to the Astor House, where he was assigned to superb apartments. Masses of people swarmed in the hotel to meet him, but he now felt important enough and sufficiently used up to deny most of them the privilege. What a difference a war had made in the Parson's standing with old Father Knickerbocker! A few years before, he had visited the city unnoticed, to seek treatment for his bronchitis; now he was peddling patriotism—and the difference was mighty.

Brownlow was soon performing in his best fashion. The day after his arrival he gave his stock speech before the chamber of commerce following a glowing introduction of fulsome praise. He also spoke at a banquet given by the New England Soldiers' Relief Association. New York was a large city even in the 'sixties; the Parson would have to make many speeches before all who wanted to hear him could be accommodated; and there were various causes to be served. The people must be entertained by an eccentric and unusual performer; the cause of the Union must be served by the Parson whipping up patriotism through singing his song of hate; and he must raise enough money to re-establish himself and his newspaper in East Tennessee, if the tardy government should ever clear out the Confederates. It was this last purpose that would be served by a speech which it was announced he would deliver in the Academy of Music on the 15th. A grand reception was to be held for him, and Governor Edwin D. Morgan was to preside at the speech-making. The price of admission was to be fifty cents per person, and all the proceeds

[33] *Ibid.*, May 14, 1862.

should go to the re-establishment of his *Whig*. A vast crowd attended with New York's best in the forefront. Governor Morgan finding it impossible to attend, Honorable William M. Evarts supplied the vacancy and introduced Brownlow. Again did the Parson recount the suffering of Union men in East Tennessee, and boldly did he tell what he thought should be done. "If nothing else will satisfy the crazy people of the South," he exclaimed, "I believe in exterminating them; and in supplying their places with men who would be of some benefit to the country." The way in which the government had neglected East Tennessee was a crying shame, and those in charge should be called to account for it. He declared, "I avoided Washington because I didn't want to see anybody there until justice had been done in East Tennessee."[34]

This speech not only enriched the Parson's fortune more than $2,500, but it also enhanced his reputation with additional praise. The *New York Times* declared that the address greatly stimulated the patriotism of his hearers. "He is himself a legion," it said, "and might safely be pitted against the whole Confederacy."[35] Horace Greeley's *Tribune* sang out:

> Seldom has more triumphant welcome been vouchsafed to warrior or statesman than was given last evening by the city *en masse,* or at least as much of it as could be compressed within the walls of the Academy of Music, to the sturdy and much suffering lover of the Union—Parson Brownlow. Long before the hour of commencement the aisles and lobbies were crowded and the stage was covered with leading citizens.[36]

Brownlow was loath to leave New York City, for he had developed into a hero of vast proportions, so great that he eclipsed President Lincoln's flickering reputation and could make slighting remarks about him. His plan to re-establish his newspaper received wide acclaim and support. At this time one of the best methods of making a patriotic display was to go about getting subscribers for the Parson's new paper; and subscriptions were not difficult to obtain from among those who had heard the editor-elect. If the paper were to be like the Parson, it would be entertaining enough. A dry goods house early reported that it had secured 200 subscribers. Such loyalty to

[34] *Ibid.,* May 15, 1862.
[35] *Ibid.,* May 16, 1862; *Boston Evening Transcript,* May 21, 1862.
[36] *New York Daily Tribune,* May 16, 1862.

his cause the Parson felt deserved nothing less than a visit from him, so he sought it out and brought the business to a standstill as the people crowded around him. He soon mounted a table and made a "few remarks to the curious hundreds who thronged around and wished to hear him." He told his "squatter sovereign" joke and "brought down the house." Naturally more names went on the subscription roll, and the *New York Tribune* hoped a "list a mile long may be obtained to aid him."[37]

Brooklyn was near enough New York City for its residents to cross East River for one of the Parson's performances, but the city would not be satisfied without a visit from Brownlow. On May 17 he spoke before the Brooklyn Mercantile Library Association. An immense audience was present, with Mayor Kalbfleisch presiding. The proceeds, which amounted to $1,200, went to Brownlow's newspaper venture. Naturally the churches would lay claim on some of the Parson's time and strength. He promised to preach at the Hedding Methodist Episcopal Church in New York City. At the appointed time he appeared and announced that he was too weak to preach. Nevertheless, he told much about his hard lot in East Tennessee, metamorphosing an abbreviation of his set patriotic speech into a sermon. General Cary, who had been little in evidence in New York, filled out the remaining time with a talk on temperance.[38]

Before leaving New York City, the Parson made one speech somewhat different in substance, though not in performance and effect, from the set speech, which he had used so often. On May 19 he spoke before the Young Men's Christian Association at the Cooper Institute. He named his performance the "Irreligious Character of the Rebellion," and in it he reached an intensity in feeling and an extravagance in language which he had heretofore not been able to attain. In unmeasured terms, he poured out his bitter condemnation of the South and its leaders, lay and religious. No doubt his performance suggested in his own mind the prophets of old as they smote mightily for Jehovah. He thundered out, "All the iniquities that ever prevailed anywhere on the face of God's green earth they have in full blossom in every state south of Mason and Dixon's Line." Again were the Southern preachers the beloved objects of his attacks. Each of these who was supporting the Confederacy was a drunkard— "a more unmitigated, God-forsaken set of scoundrels

[37] *Ibid.*, May 15, 16, 1862.
[38] *Ibid.*, May 17, 19, 1862.

do not live than the preachers of the Gospel down South." As an example of a Southern prayer and a recommendation of the proper response, he described an incident which, he held, had happened in East Tennessee. A Methodist preacher kneeled down and prayed, "O Lord, we thank thee for having inaugurated this revolution, .... Judge Pickens rose up in his seat, and taking his hat, says he 'God d-m such a prayer to hell'!" The audience greeted this sally with loud laughter.[39]

The *New York Times* complimented Brownlow in an editorial which it entitled "A Martyr Missionary," and declared that he was "doing good service to the Union cause by his speeches in the Northern States."[40] To an Englishman in America at this time, however, the Parson did not appear in such a favorable light. He wondered about the intelligence, culture, and mental balance of a people who could make a hero out of a person like Brownlow. George Augustus Sala introduced this subject in his diary, by writing, "Parson Brownlow you may have already heard of." He then recorded that his "gabble was not only listened to, but loudly cheered by a large and respectable audience in the Empire City of the Republic." He had not been able to determine whether Brownlow was "more bad than mad, or whether his eloquence was inspired by depravity, by delirium tremens, or by the dog days." He then quoted the following as a specimen of the Parson's style:

> If I had the power, sir, I would arm and uniform in Federal habiliments every wolf, and panther, and tiger, and catamount, and bear, in the mountains of America; every crocodile in the swamps of Florida and Carolina; every negro in the Confederacy; and every devil in hell and pandemonium....This war, I say to you, must be pursued with a *vim* and a vengeance, until the rebellion is put down, if it exterminates from God's green earth every man, woman, and child south of Mason and Dixon's line. ...And we will crowd the rebels and crowd and crowd them, till I trust in God we will rush them into the Gulf of Mexico, and drive the entire race, as the devil did the hogs into the Sea of Galilee....we can whip the Southern Confederacy;

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39 *Irreligious Character of the Rebellion. An Address by Parson Brownlow delivered before the Young Men's Christian Association, at the Cooper Institute, New York, May* 19, 1862, pp. 29, 32; *New York Tribune,* May 20, 1862.

40 *New York Times,* May 22, 1862.

> we can take in England and France; and I want to carry it on till we whip out all creation.[41]

The Parson may not have greatly appealed to Englishmen detached from the dementia of a contest of wholesale slaughter, but he was a vast sensation to those Americans who had become so maddened by blood that they were willing to see a civilization fall and life itself disappear from the land rather than give up a political organization. So, loud and persistent calls for the Parson continued to come—from all parts of the Empire State and from New England. There was money in answering these requests, and the Parson wanted very badly to re-establish his Knoxville *Whig*. Before the end of May he had completely capitulated to the New England demands; he set out on a sweeping campaign which carried him into every New England state with the exception of isolated Vermont. The people were prepared for his coming by peans of praise sung out for him. The "reputation of the 'Parson' had long preceded him, and there are but few who have not heard of and desired to know him."[42] He had supported the Union "where it costs something to make that profession—costs property, social standing, peace and quiet, reputation, and life itself. Few communities, since the days of the early Christians, have been worse persecuted for principle's sake than have been the Union Men of East Tennessee."[43]

The first New England community honored by the Parson's presence was the section's foremost city. On May 22 he arrived in Boston. The reception committee immediately drove him to the Revere House and quartered him in the historic "Daniel Webster Rooms." Governor John Albion Andrew and his staff called upon him and escorted him out to Fort Warren, where the Parson had the pleasure of looking over some Southern prisoners. One of the latter caught the ear of the Parson and convinced him that he was an East Tennessean who had been forced into the Confederate army. Brownlow interceded and obtained his release. He held his first performance on the second day after his arrival, and made his old set speech at Music Hall, announcing beforehand that the proceeds of the meeting would go to the resurrection of his *Whig*.[44] Boston, being a large city, required more than one speech and more than

[41] George Augustus Sala, *My Diary in America in the Midst of War* (London, 1865), II, 403, 404.

[42] *New York Tribune*, May 21, 1862; *Boston Morning Journal*, May 24, 1862.

[43] Editorial in *Boston Morning Journal*, May 23, 1862.

[44] *Boston Evening Transcript*, May 24, 1862.

one day's visit. The Parson was in demand at the churches. At one religious exercise, he "made a short and characteristic exortation, and offered a pungent prayer."[45] He could not refrain from visiting the business district. The next day he drew the headlines, "Parson Brownlow among the Pearl Street Shoe Dealers," with the news that he had visited a big shoe store, where "hundreds of persons rushed in to catch a glimpse of the Doctor." Thereupon he leaped upon the counter and delivered his East Tennessee atrocities speech.[46]

Leaving Boston, Brownlow's plan carried him down to Bridgewater, thence northward to Salem and on to Lowell, where he spoke on May 29. Thence he traveled onward the next day to Portland, Maine.[47] On his return through Dover, New Hampshire, the crowd gathered around his train and demanded a speech. He gave them a synopsis of his main speech, vigorously adding that he was "good for eight more campaigns and three more rebellions."[48] The Parson swept on through Roxbury and Providence, over into Connecticut, where he spoke at Norwich and then at Hartford. He was highly entertained in Hartford, the ammunition center. Here, following his address, the workmen from the Colt's factory presented him with a revolver, holsters, and all other needed equipment. In a fiery speech he accepted this armament, and so emboldened did it make him that he threatened to put a bullet through anyone who should dare insult the flag. He then raised the hue and cry for a man-hunt to seek out the Hartfort secessionists and ride them out of town on a rail. So effective was this grandiloquent gesture that he scarcely ever forgot to use it in the other towns he visited. It was a happy and befitting thought that led the workmen to present a revolver also to the daughter who had so boldly defended the flag against ninety Confederates back in Knoxville.[49]

The Parson turned northward from Hartford to the arsenal city of Springfield, Massachusetts, and thence on to Amherst and Worcester. At Worcester he spoke to an immense crowd, and, according to the local newspaper, "He kicks, smites, chops, butchers, and crushes them, and then delivers them over to be roasted by hellfire."[50] Truly, as a Bostonian concluded, he was "one of the most

[45] *Ibid.*, May 26, 1862.
[46] *Ibid.*, May 28, 1862.
[47] *Boston Morning Journal*, May 24, 1862.
[48] *Ibid.*, June 2, 1862.
[49] *Boston Evening Transcript*, June 9, 1862.
[50] *Worcester Daily Spy*, June 10, 1862.

remarkable men of the time," a statement that the Englishman would have agreed to, but not with the same meaning.[51]

Philadelphia had liked Brownlow, and Brownlow had liked Philadelphia. The Parson had scarcely got well started in the New England states before the Quaker City was calling for him again. The war-makers of the City of Brotherly Love wanted him to speak on secession at the Academy of Music. The price of admission would be fifty cents, and the entire proceeds should be "appropriated toward the re-establishment of the Knoxville *Whig*."[52] The urgent invitation was broadcast: "Let our citizens turn out by thousands to show the brave preacher how highly they estimate his services."[53] On June 14 he spoke much according to his old custom with the same old story of Southern atrocities. "No larger or more fashionable audience ever assembled in the Academy of Music," according to competent opinion. Brownlow's family was present and occupied a box. His flag-defending daughter, now the widow Sawyer, was made the center of an interesting ceremony preceding the Parson's speech. Not to be outdone by Hartford, which had presented her with a Colt's revolver, Philadelphia would now present her with a fine silk flag, which she might yet be forced to defend with her newly acquired Colt's revolver.[54]

Philadelphia could never tire of hearing about atrocities in East Tennessee. On June 20 the Parson was bracketed with a Mr. Bokum in a great war festival, where the former would speak his accustomed English and the latter would inform those people who understood only German. The Sanitary fairs and relief meetings worked the Parson constantly; he helped these much, and the Philadelphians felt duly grateful. The war-women who conducted these relief agencies, according to the *Daily Evening Bulletin,* "have recently possessed a lion of the first magnitude in the brave Parson Brownlow, who is besieged with invitations every day, and presented with bouquets and huge cakes every evening. The noble Tennessean generally says a few words in his vigorous style on such occasions, and retires after a process of handshaking, which is no mean test of his power of endurance."[55]

[51] *Boston Evening Transcript,* May 26, 1862. The Parson's itinerary is given in the *Boston Morning Journal,* May 28, 1862.

[52] Philadelphia *Daily Evening Bulletin,* June 7, 1862.

[53] *Ibid.,* June 11, 1862; W. G. Brownlow, *Brownlow; the Patriot and the Martyr showing his Faith and Works, as Reported by Himself* (Philadelphia, 1862), 105.

[54] Philadelphia *Daily Evening Bulletin,* June 14, 20, 1862.

[55] *Ibid.,* June 21, 1862.

Soon after the Parson left his beloved Philadelphia, taking his family with him, and settled down in Cincinnati for a time.[56] Before the end of June, however, he was called to Washington as a witness in the impeachment trial of Judge West H. Humphrey. Only such business could induce him to go to the nation's capital, so thoroughly did he disapprove of the government's neglect of East Tennessee. He had already made up his mind to dislike the pettifogging politicians controlling affairs there, and he was not sure that he would look with much favor on the city itself. A day or two after his arrival he expressed himself as unfavorably impressed by the government, not only because it did not clear the Confederates out of East Tennessee, but also because it treated them too leniently. The government treated the enemy sick and wounded in its possession with too much care. He would confiscate all their property and, besides, he would stretch the necks of lots of them. As for the head-man, Lincoln, the Parson had never seen him. He had called at the White House, but the president was "holding a 'council of war'," and so the Parson was not allowed to see him. Brownlow confessed that this was "a matter of small moment," and added, "The Mountain having gone to Mahomet, Mahomet must come to the Mountain next time."[57] Undoubtedly the Parson felt piqued at the way Lincoln was neglecting him. He had been received with much greater acclaim in the North than had ever been given to Lincoln—so why should he not have some little pride in the matter? Nevertheless, he did consent to speak his piece on the rebellion and to tell the Washingtonians a thing or two. On the last day of June he performed in Ford's Atheneum, but little notice was taken of his presence in town.[58]

With a disposition impatient for the conquest of East Tennessee and with a feeling that he was a great man in all the towns and hamlets of the North, manifestly Brownlow would spend as little time as possible in cold and unappreciative Washington. So, during the summer and fall of 1862 he carried out various speaking trips which took him through central and western New York, through Utica and Buffalo, and on into the Middle West again. He wrote his friend and publisher, George W. Childs, a letter from Utica in

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[56] *Cincinnati Daily Commercial,* June 25, 1862.

[57] Ms. letter to the *New York Weekly,* written in Washington, June 28, 1862. The manuscript is in the Library of Congress.

[58] The only reference to Brownlow made in the *Daily National Intelligencer* was the brief announcement that he would speak on June 30, 1862.

August, saying that he was showing the secessionists "no quarter and the people shout amen."[59]

By October Brownlow had carried his campaign into Illinois. David Davis, soon to leave for Washington to take up his work as associate justice of the supreme court, heard him speak at Bloomington and wrote about it as follows:

> Have just heard Parson Brownlow's speech. He spoke in East door Court House. Wind was so high that he could not speak longer than an hour and a half. He finishes tonight in the Hall and is to be followed by Deacon Bross of the Tribune. His speech was the most denunciatory of any I ever heard. His talk is all random shots, no argument at all. Adjectives he used in abundance and the whole vocabulary of expletives he has at his command. There was at least 2,000 persons present and went away disappointed that he quit. He tells many anecdotes but never smiles. His nostrils are like a race horse. His face is iron and you can see by his eye that he does not fear the face of man.[60]

Brownlow had undoubtedly become a radical and he had arrived at the position partly through his contact with the people at the North and partly through his inherent disposition to go to extremes. He shot venom and spleen and fire and brimstone at the Southerners; he told how they should be hanged, drawn, and quartered. He was a fighter; he was unusual to look at; his language was decisive, vitriolic, and unpolished; in the excitement of a speech he lost all sense of proportions and largely of the limits of good taste. Yet these things made a good show and afforded rare entertainment for the Northern commonalty. The Parson mistook their applause as meaning complete agreement with his policy of extermination for the Southerners. The mass of people, however, are never bloodthirsty except at a distance or under the influence of mob psychology.

There can be no doubt that William G. Brownlow greatly impressed himself upon the people of the North and that he built up much recruiting enthusiasm. Within a few months after the publication of his book, it was reported that a hundred thousand copies

[59] Ms. letter, Brownlow to Childs, Utica, New York, August 7, 1862, in the Library of Congress.

[60] Ms. letter, David Davis to William M. Orme, Bloomington, Ill., October 21, 1862, in the Library of the University of Illinois.

had been sold, and the prediction was made that a half million would soon find lodgment in Northern hands and hearts. His picture was printed and reprinted so widely that his features became almost as familiar as Lincoln's; people danced to music written to commemorate his prowess. In 1863, after the fall of Knoxville, back he came to East Tennessee bolder than ever before, reenforced as he was with the feeling that the whole North stood behind him. In accordance with an oft repeated pledge, he reestablished his Knoxville *Whig,* revising its name, however, so as to read *Knoxville Whig and Rebel Ventilator.* Near the end of the war, he became governor of Tennessee, was reelected, and then in 1869 he entered the United States Senate to serve a full term. His death occurred in 1877.

# SHELBY'S FORT*

By Samuel C. Williams

Evan Shelby first arrived in the Tennessee country in the latter part of 1770 from his home in Maryland. He was hard-pressed by debts due to losses sustained during the troublous times of Pontiac's conspiracy, and Captain Shelby was looking southward for a new home.[1] He visited the Holston region, from which on January 3, 1771, he wrote to his sons in Maryland, John and Isaac, of his satisfaction with the country; that officers of the late war were to receive grants of land there, which fact insured that a good class of people would be settlers. He stated to them that North Carolina men had approached him to secure for them good locations; that he considered the earl of Granville's lands (just to the south of Virginia) good for locations and that they would soon be settled.[2] He predicted that such settlers would be men of property and that that immense tract might soon be "struck off as a county." He expressed the desire that sales of his lands in Maryland be negotiated.

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* This fort stood near the home and store of Evan Shelby in the present Bristol, Tenn. It was located on what is now Eleventh Street between Anderson and Locust streets. A marker was erected on the spot by the Volunteer Chapter, D.A.R., on King's Mountain Day, Oct. 7, 1927, the writer delivering the dedicatory address.

[1] Shelby was in Salisbury, Rowan county, N. C., in April, 1768, where on the 23rd day of that month he acquired 700 acres of land on Swearing Creek, originally granted by the earl of Granville in 1762. In the margin of the deed as recorded is this statement: "Delivered to Mr. Shelby in Salisbury." Did Shelby at that time contemplate a removal to North Carolina? Very likely he was drawn there in 1768 by some old Maryland friend who had settled in Rowan county.

[2] The fact that but for the War of the Revolution, more than one-third of the Tennessee country, the upper part, would have fallen within his grant and belonged to the earl of Granville, necessitating purchase of him, if at all, by western settlers, has not been reckoned with by Tennessee historians. On partition in kind to the earl of Granville, who alone of the Carolina proprietors insisted on it, he received title to the upper part of North Carolina and made sales through his agents to settlers east of the mountains and in some instances to those west of the Alleghanies. To rid the region of the incubus of his title was one of the animating causes of the Revolution, so far as North Carolinians were concerned.

It seems that Shelby did not remove his family, at least all of his family, to the Holston country at once,[3] but he returned to his home in Frederick county, Maryland, doubtless to consummate as far as he could the sales of his estate there. In 1772, however, he established a store at Sapling Grove, site of the present city of Bristol,[4] and among his customers were Daniel Boone, Valentine Sevier, the father of General John Sevier, James Robertson, Charles Robertson, William Williams, John Cox, and James Elliott.[5] For the protection of the store and the settlement around Sapling Grove he erected a stockaded fort, and it took the name of Shelby's Fort or Station.

The first glimpses of Shelby's Fort in history are during the troublous days just prior to what is known as Lord Dunmore's War, waged in the year 1774, against the confederated Indian tribes of the Ohio country, the Shawnees, the Miamis, the Delawares, the Mingoes, and others. This combination of redmen was one of the most powerful that ever menaced the frontiers of Virginia, and challenged the advance of English civilization in the great valleys of the Ohio and Mississippi. In addition, there was grave fear that the Cherokees to the south might be brought into alliance with the northwestern tribes.

Throughout the year 1773 the dread of an Indian uprising was a pall over the regions now lower Southwest Virginia and upper East Tennessee. By March, 1774, panic in the Clinch River settlement drove many of the inhabitants eastward to the Holston Valley, and it was even feared that homes in the latter would have to be abandoned. Soon, in both valleys, remaining settlers and their families were gathered into stockaded forts.

In June, 1774, Arthur Campbell, then a major of Virginia forces, wrote to Evan Shelby, then a captain, to be watchful towards the country of the Cherokees, and send notice immediately of any alarm

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[3] As late as 1773 Evan Shelby is referred to in conveyances as "of Frederick County, Maryland."

[4] The Sapling Grove tract of 1250 acres was a part of the grant to John Buchanan, dated June 20, 1753, "on Holston or Indian River." For an account of such grants by the colony of Virginia in the Tennessee country, see Samuel Cole Williams, ed., *Early Travels in the Tennessee Country* (Johnson City, 1928), pp. 165-66. Shelby later acquired much other fine land in the immediate and nearby region. The records of North Carolina and of the Southwest Territory now at Jonesboro, as well as those at Blountville, testify to this fact.

[5] Elliott was probably the father or grandfather of Evan Shelby's second wife, Miss Isabelle Elliott, to whom he was married in the early part of 1787.

of danger from that quarter.[6] Forts and stations were repaired and put in a state of defense, and new ones were erected at strategic points.[7]

In July Lord Dunmore, the governor of Virginia, left Williamsburg, the capital, to visit the western frontiers, and from Winchester, on the twelfth, he wrote Colonel Andrew Lewis, of Botetourt county, commander of the militia of the southwestern counties, "to raise a respectable body in your quarter and join me at the mouth of the Great Kanawha."[8] At once the several county-lieutenants summoned their soldiers to arms. "The opportunity we have so long wished for, is now before us," wrote Colonel William Preston.[9] The militia of the border was responsive. One of the main troubles was the eagerness of so many to become officers, and to that end, to organize new companies.

Captain Evan Shelby had to submit to a division of the company which he was to command to make a place for William Cocke.[10] Shelby then sought to strengthen his company by accretion from the Watauga settlement, and was so successful that on August 9 Major Arthur Campbell wrote to Preston that "by all accounts from the lower settlement today, Captain Shelby is succeeding very well, 20 men being coming from Watauga to join him."[11] Shelby was next embarrassed by the efforts of Captain David Long of Southwest Virginia, near the Carolina line, to organize a company, "20 to 25 of them to be drawn from Watauga provided they can have Robert Lucas[12] for a lieutenant." Preston, while encouraging Long to recruit a company, cautioned him not by any means "to attempt to engage any one man in any company that has promised to go with Captain Shelby or William Campbell."

Shelby's Fort was now a busy place, as the men of the border came to muster in and draw supplies for the long march to the Ohio River. Shelby's company was composed of men from the present counties of Sullivan, Washington and Carter, for the most part, his

[6] Reuben Gold Thwaites and Louise Phelps Kellogg, eds., *Documentary History of Dunmore's War*... (Madison, 1905), p. 47.
[7] *Ibid.*, 49, 78.
[8] *Ibid.*, 86.
[9] Circular letter of July 20, 1774, *ibid.*, 91.
[10] In after life one of the two first Senators in Congress from Tennessee.
[11] Thwaites and Kellogg, *op. cit.*, 135.
[12] Robert Lucas, originally of Virginia, was a prominent Wataugan; member of the committee of 1776, and a justice of the peace in the first Washington county court; later removed to the Cumberland settlement, where he was killed by Indians.

son, Isaac, being lieutenant, and James Robertson and Valentine Sevier sergeants. They came in wearing fringed hunting shirts, dyed various colors, with long rifles slung over their shoulders, shot-bags and powder-horns hanging from their belts—a typical backwoods militia company of the period.

About August 16 the company took up its march, and on the 18th passed the home of Major Arthur Campbell, Royal Oaks, on the upper Holston. Small squads, about six from the Watauga, followed, trying to catch up with the company. Some of these men Joseph Drake [13] tried to wean over to a company he was endeavoring to organize. Word was sent to Captain Shelby of this effort, and that "Drake is stopping his [Shelby's] men as they come by, but I am told that he has only engaged two that came from Watauga," wrote Captain Floyd to Preston.

After all, Captain William Cocke did not go on the campaign. He and his company remained to man a fort and protect the inhabitants, as did, also, the companies of Captain Daniel Smith[14] and Daniel Boone.[15] That there was need of such protection, the passing of but a few days demonstrated. In September there appeared in the region the renowned chief, Logan,[16] leading a band of Mingo

[13] Joseph Drake was one of the "long hunters" of the winter of 1770-71, "a rough, fearless man." Thwaites and Kellogg, *op. cit.*, 78; J. G. M. Ramsey, *Annals of Tennessee* . . . (Charleston, 1853), pp. 96, 105. He had in 1773 married Margaret, daughter of Colonel John Buchanan, and doubtless felt he was entitled to recognition by reason of that fact.

[14] Captain Daniel Smith later removed to the Cumberland settlement and was honored by appointment as secretary of the Southwest Territory and election as Senator from Tennessee in the United States Senate. He also served as brigadier general of militia.

[15] On Boone's trip towards Kentucky in the fall of 1773, his oldest son, James, and Henry Russell, a young son of Captain William Russell, were killed by the Indians, and Boone took up temporary residence in Clinch Valley, Southwest Virginia, where he was at the outbreak of Dunmore's War. He performed meritorious service in the protection of that frontier.

[16] The appearance of Logan in the Tennessee country is not mentioned in any Tennessee history. His career has been handed down to posterity chiefly by Thomas Jefferson in his *Notes on the State of Virginia,* where his brief speech is given, so often recited by the school boys of later generations as an example of Indian eloquence:

> I appeal to any white man to say if ever he entered Logan's cabin hungry and I gave him not meat; if ever he came cold or naked and I gave him not clothing.
>
> During the course of the last long and bloody war Logan remained in his tent an advocate of peace. Nay, such was my love for the whites, that those of my own country pointed at me as they passed by and said "Logan is the friend of white men." I had even thought to live with you but for the injuries of one man. Colonel Cresap the last spring, in cold blood, and unprovoked, cut off all the relatives of Logan; not sparing even my women and

Indians from the Ohio country against the inhabitants on Clinch and Holston rivers, while the best part of the white man-power was making the toilsome march to the Ohio. Logan's strategy was to divide his party and strike simultaneous blows in far separated neighborhoods. On first appearance, and for some time afterwards, the Indians were thought to be Cherokees. One of the first strokes fell on the family of John Roberts,[17] on Reedy Creek, near King's Mill, the present Kingsport. On September 24 Roberts, his wife, and several children were killed, and one of the children, James, was taken into captivity.[18] Another boy was struck in the head with a tomahawk, his brain exposed, and he was left as dead. Found in

children. There runs not a drop of my blood in the veins of any human creature. This called on me for revenge. I have sought it. I have killed many. I have fully glutted my vengeance. For my country, I rejoice at the beams of peace. Yet, do not harbor the thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan. Not one.

In the spring of 1774 (April 30), while Logan was on a hunt in the Ohio woods, members of his family were treacherously and cruelly murdered by Daniel Greathouse and his party on Yellow Creek of the Ohio, near the present Ohio town of Wellsville, but Logan believed that Captain Michael Cresap was guilty of the massacre. Logan, previously a friend of the whites, went at once on forays; the one into Southwest Virginia and upper East Tennessee was evidently designed to take advantage of the absence of the soldiers on the Point Pleasant campaign, and, perhaps, to encourage the Cherokees to join the Ohio tribes in the war against the whites. Logan returned to the Ohio country, and his speech was in refusal to join in peace parleys with Lord Dunmore.

A biographer states that Logan returned again to strike a blow at the Holston River settlers in 1779, and carried away a number of prisoners. F. B. Sawvel, *Logan, The Mingo* (Boston, 1921), p. 98.

In 1852 a towering monument was erected on a mound, the apex of the cemetery, in Fort Hill Cemetery, Auburn, N. Y., the traditional birthplace of Logan.

[17] At the home of Roberts Logan left a note tied to a war club and written in his words by a white captive with suggestive ink—made of genuine gunpowder and water: "To Captain Cressap [*sic*]—What did you kill my people on Yellow Creek for? The white people killed my kin at Coneestogo a great while ago, and I thought nothing of that. But you killed my kin again on Yellow Creek and took my cousin prisoner, then I thought I must kill too; and I have been three times to war since but the Indians is not angry, only myself, Captain John Logan." This note found its way to Maj. Arthur Campbell, who transmitted it to Col. William Preston; it is to be found among the latter's papers in the Draper Collection of the State Historical Society of Wisconsin, Madison, 3 Q Q 118.

[18] This captive seems to have been released by Logan: "Last Friday was two weeks (Oct. 21) Logan a famous chief went home with a little boy, a son of Roberts on Holston, and two of Blackmore's negroes. He said he had taken them on the frontiers next the Cherokee Country and had killed, I think, five or seven people. The boy and negroes will soon be in." Col. William Christian to Col. William Preston, Nov. 8, 1774, on the former's return from the battle of Point Pleasant. Thwaites and Kellogg, *op. cit.*, 305. James Roberts is perhaps identical with the James Roberts who was at the battle of King's Mountain, 1780.

this condition by some of the neighbors, he was taken up the valley and placed in the home of Major Arthur Campbell, where he was cared for. Of him Campbell wrote: "It is generally believed that his brain is safe, as he continues to talk sensibly, and being an active, wise boy, what he relates is credited. For my part I don't know as I ever had tenderer feelings of compassion for any of the human species. I have sent for and employed an old man, that has some skill, to attend him." The little fellow died during the first week of October, an extraordinary example of patience, lamenting that "he was not able to fight enough to save his mammy."

On first hearing of the deadly work of Logan's Indians on the Clinch and Holston, Major Campbell speeded a message to Colonel Preston, saying: "I hope you will judge it proper to send an express to the army to hurry the return of the men in this county, especially Captains Russell and Shelby, whose families are in distress."

Indian tracks were found and reported by two men of the region, Archibald Taylor and Thomas Shoate, the latter probably a brother of Emanuel Shoate, who was on the march in Shelby's company. Additional families, stricken with terror, poured into Shelby's Fort. It takes little imagination to visualize the fort crowded by those who stood sorely in need of their natural defenders, now in a far away wilderness, moving each day farther from them. Soon to the lack of food and even of ammunition was added the threat of famine. Sharing in the general fright, wagoners could not be prevailed upon to haul flour below the home of Campbell, who wrote Preston of the situation, and further said: "The want of ammunition is truly disheartening at this crisis. The people are gathering together in order to make a stand. I have ordered Cocke to go down with what men he can raise." He feared that the Cherokees were on the warpath and that these occurrences were first steps in a war with that powerful nation, and urged that a whole company be stationed at or near Long Island of Holston to secure that important point in case such an irruption should take place. He dispatched to Colonel John Carter, of the Watauga settlement, a letter to be sent to Oconostota, the war-lord of the Cherokees, asking his influence in behalf of peace. Campbell urged that two traders to the Cherokees, then at Carter's, be sent with all possible speed to Chota with his appeal to Oconostota. Campbell, on October 4, ordered additional rangers to operate from Long Island upwards and sent four men to Shelby's Fort and four to Bledsoe's to augment the weak garrisons. The next

day Lieutenant John Cox arrived at Royal Oaks with twenty-four men, and this skeleton company was sent down the river to range about Reedy Creek and Moccasin Gap, though they could be supplied with but four rounds of powder to each man.

The danger feared by those forted at Shelby's was not imaginary. Just at this time Logan and his marauding Indians, yet lurking in the region, were creeping upon the fort. They appeared there on the evening of Thursday, October 6, and seized and made a prisoner of a Negro woman belonging to Captain Shelby. This was within three hundred yards of his home. After taking her some distance, they questioned her as to the number of men and guns in the fort and as to whether Shelby's store was yet kept at the place. About a mile from the fort they saw a boy coming from a mill, and so they tied the woman in order to hurry after the boy. While on the chase the woman managed to loose herself and escape. On her return to the fort she told that when she had refused to answer the questions put to her she was knocked down twice, and that one of the attacking party was whiter than the others and spoke good English. This, for the first time, led to the suspicion that Logan, who was a half-breed, was responsible for the murderous foray. This deepened the chill of horror.

Captain William Cocke hastened to Western Carolina (the Watauga region) to solicit men to come to the aid of his neighbors, and Captains Daniel Boone, Daniel Smith and James Thompson were at the heads of bands scouring the woods along the Clinch and Holston for the savages. Lieutenant Gilbert Christian commanded the fort at King's Mill (Kingsport), but the Indians boldly raided his farm, taking "his fine stock of cattle and horses." Raiding in the immediate neighborhood of Shelby's Fort, the Indians took many horses and goods.[19]

Some of the settlers sought safety in flight from the country. Major Arthur Campbell wrote Colonel Preston: "Since I began this letter I am mortified by the sight of a family flying by. If ammunition doesn't come soon, I will have no argument that will have force to detain them."

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[19] Col. Shelby's report shows that Valentine Sevier, Sr., in this raid lost a mare, John Sawyer a bay horse, William Williams a mare, colt, guns, house furniture, and corn, Vincent Hobbs two mares, saddle, blankets, etc., and Shelby himself two horses. *Calendar of the Tennessee and King's Mountain Papers of the Draper Collection of Manuscripts* (Madison, 1929), 16 D D 1 A, p. 158.

Soon, assurances were at hand that Logan and his bands had retired to the west to be followed by the receipt in the settlement of Isaac Shelby's letter to his uncle, John Shelby, which announced a glorious but bloody victory over the combined tribes of the Ohio savages under Chief Cornstalk at Point Pleasant on Monday, October 10, but also breaking the sad news that five of his father's company had been killed or wounded in action, and that the troops were yet to make a journey down the Ohio to force upon the Indians a treaty of peace, or another battle.

Late in November, 1774, the survivors of Shelby's company reached Shelby's Fort, after a tedious march through the mountains, there to muster out.[20] They came in weary and bedraggled, by no means in the panoply and pomp of war. Each man felt the consciousness of duty well done, that the company and its captain—to whom fell command of all troops on the death or wounding of his superior officers—had played a conspicuous part in the winning of a victory and peace, the full purport of which in the history of the West few of them then understood.

Contemplate the future careers of the four men who commanded this picturesque company, and then answer whether in the annals of American history there can be found another company officered by men their equal for innate will-power and native ability. The captain was to become a major, then a colonel and as such to lead the successful expedition against the Chickamauga Indians in 1779, then a brigadier general, and later to decline the governorship of the State of Franklin. His son, Lieutenant Isaac, was destined to renown as a military leader in campaigns against the British in the Carolinas in the Revolutionary struggle of 1776-'81, reaching peak at King's Mountain in October, 1780. In civil life he was to become the first governor of Kentucky, to be called to the chief magistracy of that state a second time during the War of 1812, and to be appointed by President Monroe as secretary of war. James Robertson was to become the founder of Nashville, the "Father of Middle Tennessee,"

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20 "By the letters Mr. Biddle brought me it appears that it is Capt. Shelby's intentions to come home by the way of Kentucke, and they have appointed to meet Mr. Boone on the 15th of November at the mouth of Dick's River with horses. Please let me know whether I shall let Boone go or not. What would you think of employing Capt. Cocke that way as he is so hot for the fatigues of marching." Campbell to Preston, Oct. 9, 1774, Thwaites and Kellogg, *op. cit.*, 240. "The men from Holston fully intend to return by the Kentucke or up Sandy Creek [River]. In order to facilitate their march up Sandy, Capt. [Daniel] Smith intends to set out next Monday with a small party to go down that river." *Ibid.*, 267.

and a brigadier general of the United States by appointment of President Washington. Valentine Sevier II, brother of John Sevier,[21] was one of the most chivalric soldiers the border country ever knew. Never aspiring to civic honors, he reached the military rank of colonel.

The next glimpse we have of Fort Shelby was in the year 1776, when the Cherokee Indians, incited by the British,[22] came in a horde up the valley of East Tennessee to make simultaneous attacks on Eaton's Station, Carter's Valley, and Fort Caswell on the Watauga. When the raid began, the women and children and aged took to the forts, and the men of arms went out to meet the red foe. Fort Shelby itself was not made a point of attack, but it was pressed to accommodate the refugees. Colonel William Preston wrote at the time: "I find four hundred forted at Shelby's Station."

Fort Caswell, near Sycamore Shoals, was besieged for a period of more than ten days and for the relief of those penned up there under Colonel John Carter, and Captain James Robertson, and Lieutenant John Sevier, Evan Shelby raised a company of hardy bordermen to go to the rescue, but when he arrived at the fort on Watauga he found the siege had been raised by the Indians. The men who marched to the relief of the Wataugans evidently rendezvoused at Shelby's Fort.

About Shelby's Fort gathered recruits for the successful campaign of 1779 under Evan Shelby, now a colonel, against the Chickamauga Indians, who dwelt on a creek of that name in lower East Tennessee. These troops marched to the Long Island of Holston, went thence to the mouth of Big Creek in the present Hawkins county,

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[21] The historian of the battle of Point Pleasant states that John Sevier was in the battle, serving as lieutenant in Capt. William Russell's company from Fincastle county, Virginia. Virgil A. Lewis, *History of the Battle of Point Pleasant* (Dayton, Va., 1909), p. 131. The roster of Russell's company was not preserved, though those of nearly all other companies were, and this fact has, perhaps, led a biographer of John Sevier to state that Sevier "thought it wise to remain at Watauga to defend the settlers against any Indian attack that might be made in the absence of the volunteers." Francis M. Turner, *Life of General John Sevier* (New York, 1910), p. 51. The latest biographer of Sevier is silent on the point. Carl Samuel Driver, *John Sevier* (Chapel Hill, 1932). It is difficult to conceive of John Sevier resisting the call to arms, and his lieutenancy under Russell may be explained by the fact that that post in Shelby's company was held by the latter's son, Isaac.

[22] On this point, however, compare Philip M. Hamer, "The Wataugans and the Cherokee Indians in 1776," in East Tennessee Historical Society's *Publications*, No. 3 (Knoxville, 1931), 108-126 [Ed.].

where boats were built for a water voyage to the Chickamauga towns.

Again in 1780 men assembled at the site of the fort to march under Colonel Isaac Shelby to the rendezvous with the men of Colonels William Campbell and John Sevier at Sycamore Shoals of Watauga, for the march over the mountains to meet Colonel Patrick Ferguson, with the result of the memorable victory of King's Mountain, October 7, 1780.

As the tide of migration and settlement moved down the Tennessee Valley, Shelby's Fort fell into disuse. The lower settlements were a protective cordon or buffers against the impact of Indian attacks from the south.

Shelby's Fort was one of the very few in the Tennessee country to serve in protection of the frontier in both colonial and revolutionary times and the part it played deserves to be perpetuated.[23]

[23] Data that have survived give a few glimpses of the spot that are interesting. In Daniel Smith's *Journal* (of the survey of the State line in 1779) he states: "Thurs. Sept. 23: Lay at Col. Shelby's who promised to go to the Long Island with me the next day... Friday, 24. Got to the Island." *Tenn. Hist. Mag.*, I (1915), p. 52. Smith and descendants of Shelby lived neighbors in the Cumberland country a little more than a decade later.

Brother Martin Schneider, a Moravian missionary traveling from Salem, N. C., to the Indian towns on the Little Tennessee River, recorded on Christmas Day, 1783: "My Companion went to one of the Frolicks at Col. Shelby's where Gen. Rutherford, of Salisbury, lies with his People with whom he intends to go to the Cumberland where land is being measured out to the soldiers." Williams, *op. cit.*, 250. Shelby was colonel under Brigadier General Rutherford and the flow of cheer must have reached peak.

Sapling Grove, later King's Meadows, on sale of the estate by Shelby's heirs to James King, was off the usual line of travel from the Tennessee Valley and the South to the eastern cities and we lack references to or descriptions of the spot during the later years of Shelby's life.

# JUDICIAL ACTIVITIES IN EARLY EAST TENNESSEE*

By Miriam L. Fink

According to Webster, justice is "merited reward or punishment." In contemplating the cruel punishments sometimes meted out in the early days by the courts of East Tennessee, as typified by those of Washington county, the question at once arises, did he who experienced the agony of a harsh sentence receive justice or was he compelled to serve as another of those mere puppets in the long tragic drama of man's inhumanity to man? In answering this question, it is necessary to note that the settlers on the frontier knew no system of law other than the one which had descended to them, through their colonial forbears, from the mother country. In time, such an ancient system underwent those modifications necessary for adjustment to a novel environment. The frontier presented life in the rough in a mixed society of adventurers, squatters, ruffians, traders, and homesteaders. The characteristic trends of thought and action were unlike those of the older and more populous areas east of the mountains. The spirit of liberty and of independence permeated frontier life. Not unnaturally, then, the administration of frontier justice represented alike reliance upon tried and resort to untried methods.

It was in such an atmosphere as that just described that the Washington county court began to function. According to an act of the North Carolina legislature,[1] a preliminary meeting of the court was held on the fourth Monday in February, 1788, at the home of Charles Robertson on Sinking Creek. On that date seven commissioners were appointed, first, to select a site on which should be located a court house, prison and stocks and then, after the selection should have been made, to serve as a building committee.[2] Until the court house was completed the quarterly sessions met at the homes of the various magistrates.[3]

* This paper was read at a meeting of the Society in Knoxville, November 2, 1934.

[1] Walter Clark (ed.), *The State Records of North Carolina* (Goldsboro 1905), XXIV, 141-142.

[2] *Ibid.*, XXIV, 142.

[3] Washington County Court Records, I, 23, 33, 48. Transcripts of these records are in the office of the county court clerk, Jonesboro, Tenn.

At the November (1788) term of court, which was held at the home of Matthew Talbot, the commissioners reported that they had chosen a site,[4] but the records fail to mention the exact location. That the report was acted upon is seen from the statement that the county court was begun on the twenty-fourth of May, 1779, "at the place appointed for the Court House,"[5] when as yet there was neither town nor village in existence. Proof is sufficient from this data for the assertion that the Washington county court selected the site of its county seat, erected a court house and probably a prison and stocks and held at least two sessions before the final reading on November 5, 1779, of the bill[6] for establishing Jonesboro, the first town in the present Tennessee. It was created as the county seat of Washington county, and as such it has remained to this day.

James Carter received the contract[7] for building this first court house west of the Alleghanies, a structure that must have been at best a very make-shift and temporary one, made as it was of rude logs and covered with a clapboard roof and unfinished within.[8] Because of the recognized lack of dignity of the meeting place of the county's judiciary, on August 31, 1781, it was "Ordered by the Court that the Sheriff employ some workmen to repair the house in which the court is held in, also a table for the Clerk, a kind of bar for the attorneys and some benches for the Jury to set on and to have the same done and prept. by our next court."[9]

After the bill for establishing Jonesboro was passed, a definite location for public buildings in the new town was fixed. As the earlier edifice was probably proving inadequate for expanding needs, the following motions were made on November 3, 1784:[10]

> The Court Recomend that there be a Court House Built in the following manner to wit 24 feet square Diamond Corners and hewd down after the same is built up. 9 feet high between The two floors and the Body of the House 4 feet High above the Upper floor. Each floor to Be neatly laid with plank the Roof to be of Joint Shingles hung on with pegs.

4 *Ibid.*, I, 48.
5 *Ibid.*, I, 71.
6 *North Carolina State Records*, XIII, 977.
7 Washington County Court Records, I, 45.
8 J. G. M. Ramsey, *Annals of Tennessee* . . . (Charleston, S. C., 1853), 281.
9 Washington County Court Records, I, 146.
10 *Ibid.*, I, 261. Judge John Allison claims that this 1784 building was the first court house (*Dropped Stitches in Tennessee History* [Nashville, 1897], 57), but from the records it is plainly evident that it was the second.

> A Justices Bench, a Lawyers and Clerks Bar also a Sheriffs Box to Sit in.

The cost of the project totaled fifty pounds.[11]

A study of the work of the pioneer members of the Washington county court of pleas and quarter sessions reveals many novel and curious features. In the beginning the magistrates often assumed duties which were in reality the prerogative of higher judicial bodies. No crime was too grave or, on the other hand, too trivial to escape their attention. Cases ran the gamut from the tragic to the ridiculous, from treason to the theft of a petticoat. Even the morals of the inhabitants of the countryside were watched with an eagle's eye. The tribunal ruled with an iron hand and zealously guarded its rights and privileges. Necessity demanded that the decorum of the body be kept on a high plane and dire punishment awaited those who failed to recognize its prestige. In the February term, 1781, occurred the trial of one who dared to raise his voice against the authority of the magistrates. The record reads:[12]

> James Gibson being brought before the Court for throwing out speeches against the Court to wit saying that the court was perjured and would not do justice & other glareing Insults.
>
> The Court Considering the matter are of the opinion that the said James Gibson is Guilty of a flagrant Breech of the peace and for the same and the glareing and dareing insults offered to the Court do order that the said James Gibson be fined the sum of fifteen thousand pounds & that he be kept in custody until the same be paid.

American currency was so depreciated in value at this time that the staggering amount levied against Gibson in reality represented a comparatively slight penalty. This, coupled with the fact that excessive bails had not been abolished as yet by a national constitution, explains why William Hall and James Hubbard were ordered to be held under bond of ten hundred thousand pounds for their appearance before the court on the first Monday in February, 1783, to answer charges in a damage suit.[13]

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[11] Washington County Court Records, I, 268.

[12] *Ibid.*, I, 129.

[13] Bond, now in possession of the writer, in the case of *Isaiah Hamilton vs. William Hall and James Hubbard.* The names of the bondsmen are illegible.

The whipping post and the pillory, colonial inheritances from England, readily found their places in the punishment of frontier offenders. Indeed, they probably proved to be excellent object lessons for potential law breakers. Both men and women were subjected to the horrors of the lash and many a "bair back" writhed under the relentless blows rained down upon the flesh by the officer in charge. The number of lashes decreed by the magistrate depended upon the gravity of the crime. In order to guard against any mild performance of duty, the orders of the court always stipulated that the lashes be "well laid on." The implication of Margaret Richey in a case of petit larceny brought swift retribution to her in the form of ten lashes;[14] while Pat Murphy, who was continually in trouble because of his inability to keep his hands off the property of others, received the same punishment for stealing two axes.[15]

Not all thieves, however, received drastic punishment. Mary Johnson will serve as an example. Accused of being involved in the theft of a small bag of meal, she entered the plea of not guilty. During the course of the trial, evidence was produced which proved conclusively that she was implicated, whereupon the court sentenced her to fifteen minutes in jail.[16]

The crime of horse stealing was a grave offense on the frontier. Not only did the settler need horses to help till the soil, but many a man owed his life to the speed of his mount in escaping from marauding Indians. Such serious crimes brought serious punishment. This is apparent from the case of Peter Stacey in the year 1793:[17]

> Being bd to the Bar and demanded what he had to say why Sentence of the Law should not be passed upon him, saith nothing—The Sentence therefore is that he, Peter Stacey stand in the Pillory one hour & shall be publicly whiped on his bare back with Thirty Nine Lashes well Laid on, and at the same time both of his Ears nailed to the Pillory and Cut off and shall be branded on the Right Cheek with the letter H of the Lenth of Three Quarters of an Inch & the Breadth of half an Inch & on the Left Cheek with the Letter T of the same Dimentions as the Letter H

14 Washington County Court Records, II, 290-291.

15 *Ibid.*, I, 77.

16 *Ibid.*, I, 182. The above judgment is not dissimilar to those in certain modern cases in which are made damage awards of one cent.

17 Minute Book, 1793-1795, Superior Court of Washington County (unpaged), entry for Sept. 23, 1793. This original record is in the county court clerk's office, Jonesboro, Tenn.

> in a plain and visible manner, which shall be put in execution at the hour of five Oclock.

Disfigured and branded with marks that no period of time could erase, the convicted horse thief became an outcast from society, shunned by those with whom he came in contact because of the ever-visible tell-tale record of his punishment. Such possibilities became repellent to a certain Joseph Culton, who, having engaged in a fight with Alexander Moffit, had had the misfortune to have part of his ear bitten off. Constantly irked and embarrassed because of his disfigurement which, moreover, might in his travels cause him to be mistaken for a criminal, Culton at length appeared before the court and proved upon oath that he had lost his ear in manly combat and not by reason of crime.[18] Thus he publicly proclaimed that he was and had been a law-abiding citizen.

In the multitudinous tasks incident to caring for the moral welfare of the community, the court even concerned itself with the speech of the citizens. None, great or small, could impugn its authority, not even Valentine Sevier, the brother of John Sevier and himself the first sheriff of the county as well as a noted soldier. A laconic entry records the bending of his will to that of the magistrates:[19] "The State vs. Valentine Sevier, Prosecuted for swearing 4 oaths. Deft. Confesses Guilty and prays mercy and fined 10/8."

As fences were scarce and live stock roamed almost at will, it was necessary that distinguishing signs be used to designate individual ownership just as brands are used in the western cattle country of today. Numerous entries in the records testify to the different kinds of marks used, such as: "Samuel Bayless Records his mark which is a Crop off the left ear and a half crop off the upper side of the right ear."[20]

Although a frontier society was characteristically individualistic in tone, there were, nevertheless, aspects of regimentation. For example, each year at one of its earliest sessions the court prescribed the rates to be charged by tavern and inn keepers. Prices for 1788[21] included:

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[18] Washington County Court Records, I, 355.
[19] *Ibid.*, I, 249. The date was August 4, 1784.
[20] *Ibid.*, II, 21.
[21] *Ibid.*, I, 317.

| | £ | s | d |
|---|---|---|---|
| Breakfast | 0 | 1 | 4 |
| Dinner | 0 | 1 | 8 |
| W. I. Rum per half pint | 2 | 0 | |
| Continental Rum per half pint | 1 | 4 | |
| Whiskey per half pint | 0 | 8 | |
| Cider per quart | 1 | 0 | |
| Corn and Oats per Gallon | 0 | 8 | |
| Pasturage 24 hours | 0 | 6 | |
| Lodging in clean sheets on Feather Beds | 0 | 6 | |
| Small Beer per quart | 0 | 4 | |
| Strong Beer per quart | 0 | 8 | |
| Stableage with Hay or Fodder, 24 hours | 1 | 0 | |

According to these figures it was almost twice as costly to keep a horse at an inn as a person. So strict were the laws regarding the rates that should any proprietor wish to deviate from the prescribed prices, he was forced to appear before the court and explain the reason for his request.

Each tavern keeper was required annually to give bond binding himself to strict performance of duty. For instance, on May 31, 1793, Ezekiel Buchanan furnished bond for the sum of five hundred dollars for the privilege of "keeping an ordinary in the town of Jonesborough."[22] Should he fail in his obligation of constantly providing "good wholsom and cleanly lodging for travilers and stableing, fodder, hay, corn, oats or pasturage as the season may require for their horses," he stood to forfeit the above mentioned sum to the territorial governor. In addition to meeting requirements similar in nature to those just noted, in 1828 James Harvey and James Gervin, applicants for a license, were compelled to swear that they would "keep an orderly house free of Riotus and Disorderly Persons, Drunkards, Gamblers, etc."[23]

Judging from the numerous petitions to keep "an ordinary and house of entertainment," the weary and worn traveler was never forced to seek far in Washington county to find respite from the day's journey.

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22 Tavern bond of Ezekiel Buchanan, in possession of the writer. The term "ordinary," synonymous with tavern, was in constant usage.

23 Tavern bond of James Harvey and James Gervin, dated Jan. 16, 1828. Original in possession of the writer.

Life on the frontier did indeed call for strength and vigor in full measure. At the same time frontier communities were faced, and only less acutely than the older settlements, with the problem of human dependents. It was the courts that decreed the fate of these unfortunates. There are found on the pages of the records many entries which deal with the disposal of orphans or of children of poor parents. Through the system of apprenticing boys and girls to master-craftsmen, children were given a chance to rise above those circumstances of life that would otherwise surround them and be fitted on attaining maturity to take useful places in the community. The following examples are typical:

> Ordered that William Cooper an orphan child about Ten years old be Bound to Ezekiel Hubell Blacksmith Until he attains to the age of Twenty one years and the Said [Hubell] obliges himself to endeavor to Learn the Said Cooper his Art and Mystery and to provide for the Said Boy agreeable to the Act of the Assembly.[24]
>
> Ordered that Susy McGlohlin be bound unto Jane English till she shall attain to the age of eighteen years, and also that the said Jane English will learn the said Susy McGlohlin to learn the art of the weaving trade & also that she will give the said Susy McGlohlin one good suit of wearing apperill at the Expiration of her apprenticeship together with the common apperill.[25]

By 1784 Sullivan and Greene had been carved out of the mother county of Washington. At their county seats, as at Jonesboro, were courts which concerned themselves with crimes, the issuing of licenses, the disposition of dependents, and the like. All of these courts, however, possessed limited jurisdiction only; not a superior court in the entire western country had North Carolina created. Final decisions, therefore, had to be made east of the mountains. This circumstance, along with many more, of course, had its influence on the events which culminated in the formation of a new state, the ill-starred Franklin. Under its newly established government, provision was made both for county and for superior courts.[26] Jonesboro remained a county seat, the meeting place of a court of pleas and quart-

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[24] Washington County Court Records, I, 438. Entry of May 10, 1790.

[25] *Ibid.*, I, 265. Entry of Nov. 7, 1785. For colonial precedents for such action, see Marcus Wilson Jernegan, *Laboring and Dependent Classes in Colonial America,* 1607-1783 (Chicago, 1931).

[26] S. C. Williams, *The Lost State of Franklin* (Johnson City, 1924), 58.

er sessions, and it was also selected as the site for a superior court for Washington district.[27]

During the middle 1780's confusion reigned supreme. Many there were who refused to join the forces of the Franklinites, preferring to remain loyal to the older government of North Carolina. As a consequence of the deadly rivalry of the two parties, a condition arose seldom paralleled in the annals of history. Two opposing governments existed simultaneously, each attempting to exert its authority over the same people. Two courts in each county boasted of their rights and two groups of officials in each county endeavored to enforce their respective laws. Clashes between rival officers in the performance of their duties were inevitable. John Sevier championed the interests of the Franklinites, while Colonel John Tipton led the forces favorable to North Carolina. Bitter hatred existed between the two men. Adherents to the cause of North Carolina were numerous and on the first Monday in February, 1787, three of their representatives, Robert Allison, John McMahon and James Stuart, organized a county court at the home of William Davis on Buffalo Creek.[28] During a session of the Franklin court at Jonesboro, Colonel Tipton with an armed force boldly invaded the court house and, having seized the records, drove out the magistrates. Upon such provocation, retaliation was not long delayed. Sevier's faction imposed a punishment in kind upon its enemy, the Tiptonites.[29] Not once, but several times did deeds of like nature occur. From time to time Jonesboro was in possession of first one side and then the other.

The General Assembly of North Carolina in 1782 made provision for a court of oyer and terminer and general gaol delivery to be held semi-annually at Jonesboro.[30] The work of this court was continued until the cession act of 1784. During the Franklin regime the Carolina lawmakers passed several belated acts in an attempt to redress some of the trouble-breeding grievances. Among these reformatory measures was one providing not only for the establishment of a judicial district to be composed of the four western counties but also

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[27] *Ibid.*, 58. Washington district was composed of the counties of Washington, Sullivan, Wayne and Greene.

[28] Goodspeed Publishing Co., *History of Tennessee* (Nashville, 1887), 895. Buffalo Creek is about ten miles from Jonesboro.

[29] John Haywood, *Civil and Political History of Tennessee* (reprint of 1823 edition, Nashville, 1891), 173-174. It is not difficult to understand how, in such scuffles, there were irretrievably lost many papers which the future historian would in all probability have valued most highly.

[30] *North Carolina State Records,* XXIV, 451.

for the formation of a superior court at Jonesboro.[31] This superior court of law and equity did not function, however, until after the collapse of the Franklin movement, for its first recorded meeting was held on February 15, 1788. Moreover, this first session was presided over by Judge David Campbell, who had been serving as chief judicial officer of the state of Franklin.[32] Upon the formation of the Territory South of the River Ohio, three judges—Joseph Anderson, David Campbell, and John McNairy—were appointed to carry on the work of a superior tribunal. These three served until the entrance of Tennessee into the federal Union (1796).

The superior court ceased its activities in 1809. Three years later a circuit court was organized by William Cocke.[33] A chancery court for the four counties of Washington, Carter, Johnson, and Sullivan was formed in Jonesboro in 1826. Judicial organization was now complete; with but a few relatively unimportant changes the chancery, circuit, and county courts have continued to the present.[34]

One remarkable case tried before the superior court at Jonesboro during the territorial period was that of Mary Doherty, charged with patricide.[35] Either through fear or through a ruse to outwit her questioners, this country lass apparently became unable to utter a word. A jury, appointed to ascertain whether the girl was guilty of deception or had been struck dumb by a visitation of the Holy Spirit, reported that her dumbness was due to divine interposition. By request of the judge, there was entered against the defendant's name the plea of not guilty and the trial ended in an acquittal. Thereupon Mary proceeded to leave the court house and with her speech as equally miraculously restored began to engage in conversation with acquaintances.

An aspect of judicial administration in early East Tennessee that has been unmentioned heretofore in this paper is that relating to slavery. Emancipation, for example, was a judicial process. Each owner who desired to liberate his slaves was required to petition the county court for permission to do so and to furnish bond lest the Negroes become public charges. Most of the petitions to the Washington county court were very simple statements of the wishes of the

[31] Goodspeed, *Tennessee,* 896.

[32] Campbell was to sit later, along with Andrew Jackson and Hugh Lawson White, as an associate justice of the Tennessee superior court.

[33] Edward Scott (ed.), *Laws of Tennessee* (Knoxville, 1821), I, part 2, 1154-1155.

[34] Goodspeed, *Tennessee,* 898.

[35] *Ibid.,* 896.

petitioners, but such was not the case in that of John V. Bovell. Shocked beyond measure by the burdens borne by the blacks of the South, his plea burned with a fervid spirit:[36]

To the Court of Washington County, Jany 1826

The petition of Jno. V. Bovell represents that He is desirous of emancipating a negro girl named Julia aged eight years.

My reasons for offering this petition are the following:

1. It is assumed as a self-evident truth in our Declaration of Independence that all men are equally free and that liberty is an inalienable right. But Slavery is a gros perversion of this principle: and so long as I detain a fellow creature in bondage, I am laying the axe to the root of civil government.

2. An African is by nature as fully entitled to liberty and as capable of appreciating and enjoying it as myself: and to compel a being of this discription to do my labour—to toil for me through life and that under the privation of almost every comfort and without receiving any adequate compensation, is an outrage upon justice from which my conscience revolts. I must, therefore, take off the chain of bondage or be deprived of that inward peace which is of greater price than the wealth of kingdoms.

3. I have seen that slavery entails a curse wherever it is tolerated. The evils which follow in its train surpass all conception and discription. It is the bane of domestic tranquility. It eats like a canker at the heart of social happiness. The very soil over which it passes becomes barren. It is then the dictate of common prudence that it should be abolished as speedily as possible.

4. I believe that slavery is at war with the principles of our holy religion. For although the writers of the N. Testament have given no express precept for the emancipation of slaves, but have set out the reciprocal duties of masters and servants and hence have been thought by many to sanction slavery, yet they lay down principles with which it can nev-

[36] Emancipation petition of John V. Bovell, Jan. 1826. In possession of the writer. Because of the numerous gaps in the court records, the fate of Bovell's petition is uncertain.

er be reconciled. Take for example, the golden rule "Do unto others as you would they should do unto you." This precept condemns every man who would be unwilling to change conditions with his servant and receive the same treatment he had given. It binds us to do for our fellow creatures whatever we would wish them to do for us were we in their circumstances. If I were in the condition of my servant I would wish to be emancipated, therefore I am bound to set her at liberty. I once thought that emancipation would alter the condition of the slave for the worse, and that this was a sufficient justification of those who detained them in bondage. I now believe that this plea is merely a specious deceit of a heart which is in persuit of it's own covetousness and not fully reconciled to duty. It has never been proved by experience or any other way that freedom would be an injury to our blacks. And why should it be a curse to them rather than to human beings of any other colour?

5. When I shall be asked by him that judgeth righteously whether by my practice and example I had sanctioned any of those methods by which my fellow creatures were kept in a state of oppression, ignorance and guilt, I wish to be able to answer in the negative.

Many were the wills which contained directions for the disposal of slaves and made provision for their immediate or ultimate freedom. It was the testamentary wish of Mrs. Elizabeth Aiken that her servants, Celia and Bill, have the privilege of liberty without expatriation within four years after her death, the laws of Tennessee permitting.[37] If such should not be legal, then they were to be allowed to emigrate either to a free state or to Liberia.[38] No less interesting is the will of Mrs. Jane Boren. This elderly lady, knowing that her span of life was nearing completion, freed a slave named Adam and then gave to him as his personal slave during his life time his own daughter, Caroline. With Adam's passing, Caroline should become free, and for that matter if her father should prefer to emancipate her before his death, that privilege was his. In order

[37] Washington County Record of Wills, I, 358-359. Will recorded June 15, 1843.

[38] A pro-slavery reaction swept over Tennessee in the thirties. Free negroes were not allowed to come in from other states and slaves emancipated within the confines of the state were compelled to leave (Philip M. Hamer (ed.), *Tennessee A History*, 1673-1932 (New York, 1933), I, 464 *et seq*).

that these two might not want for service and attention, a colored boy was given to them to be their slave for the duration of their lives. Nor did he constitute the only property bestowed upon them by their former mistress, for she also specified that they should receive "one Milk Can, twenty bushels of corn and ten bushels of Wheat, Three Bacon Hogs and three of my common bed quilts and one blanket."[39]

In conclusion it may be pointed out that one of the most arresting features connected with judicial administration in early East Tennessee is the breadth of the field which the courts attempted to cover. As one would expect, the justices devoted much time and attention to criminal cases. In addition, however, to punishing infractions of the criminal code, the courts concerned themselves to no small degree with the recording of cattle brands, the issuance of licenses, decisions as to dependents, and the reception of emancipation petitions. Varied indeed were the interests and activities of the tribunals of earlier East Tennessee.

[39] Washington County Record of Wills, I, 380. The will was recorded July 1, 1847.

Although the records show that a goodly number of the slave owners of Washington county were emancipating their negroes throughout the ante-bellum period, the majority of them did so only when compelled by the arbitrament of war.

# ONE HUNDRED YEARS OF NEW PROSPECT PRESBYTERIAN CHURCH, KNOX COUNTY, TENNESSEE, 1834—1934*

By Horace E. Orr

Robert H. Snoddy was accustomed to make an annual report to the Presbyterian missionary society under whose general supervision he labored. In one of these reports, that for 1840, seems to be revealed the genesis of New Prospect church: "In 1833, one year after I entered the ministry the Lord revived his work. Upwards of thirty were added to the [Presbyterian] church. Others joined the Baptist and Methodist. The number of hopeful conversions was supposed to be 80."[1] New Prospect church probably grew out of that revival.

In that year, 1833, Robert Henderson Snoddy was 34 years old, having been born November 22, 1799. He had been licensed to preach at a meeting of Union presbytery[2] held at Maryville, Tennessee, in 1832. During the period between his licensure in 1832 and his ordination, which took place at a meeting of presbytery held at Athens in September, 1833, Mr. Snoddy was regularly engaged for half his ministerial services by Eusebia church in Blount county. The presbyterial minutes of the Athens meeting contain the following entry: "The Trustees and Elders of Eusebia Church reported that for half of the ministerial labors of Rev. Robert H. Snoddy they had promised him the sum of $98.66½, that they had paid him the whole amount, with an over-plus of $20.37½. They reported also that Mr. Snoddy had faithfully discharged his duties as a minister."[3] Thus it is evident that Mr. Snoddy was giving half his time to a settled pastorate at Eusebia during the year of the revival out of which New Prospect church seems to have grown.

* As a part of the centennial celebration this paper was read by the author at New Prospect church on November 8, 1934. It was also presented at a meeting of the East Tennessee Historical Society in Knoxville, February 1, 1935.

[1] Files of W. E. Parham, Maryville, Tennessee.

[2] The manuscript minutes of Union presbytery are in the vault of Maryville College, Maryville, Tennessee.

[3] Union presbytery minutes, September 27, 1833.

He continued to preach at Eusebia until 1835. At the spring meeting of presbytery, which met at Athens, April 7, 1835, Eusebia church again reported Reverend Robert H. Snoddy as pastor and informed presbytery that that church had promised him $93.00 for one half of his ministerial services. They had paid him $106.60 for the preceding church year.[4]

New Prospect church was organized in 1834. At the meeting of Union presbytery held at Maryville, beginning September 23, 1834, a petition for its organization was received. The minutes contain this entry: "A petition was received from several persons residing south of French Broad and Holston Rivers requesting to be organized into a church, which petition was referred to a committee consisting of Rev. E. M. Eagleton, Rev. J. E. Montgomery and Mr. David Delzell." Two days later the committee reported a minute to presbytery which read as follows:

> The petition of Demarcus Simpson and others, some of whom are members of the Church of Lebanon-in-the-Fork, residing south of Holston in Knox County, praying to be organized into a church and taken under care of this Presbytery being read: "Resolved, that in consequence of their inconvenience or expense in crossing the river to attend the means of grace, the prayer of the petitioners be and hereby is granted, and that Mr. Snoddy be ordered to organize a church to be known by the name of New Prospect, between this and the next stated sessions of Presbytery."

This minute the presbytery adopted.[5]

The presbyterial order was carried into execution and New Prospect church was organized with twenty charter members on November 9, 1834.[6] The organization was effected at a location one-

[4] *Ibid.*
[5] *Ibid.*
[6] The twenty charter members, as their names appear in the record, were:

Demarcus Simpson
Elizabeth Simpson
Mary Franklin
Eliza Simpson
Matthew Simpson
Eleanor Simpson
Charles Simpson
Elizabeth Smith
Ann Walker
Wm. Michels
Margaret Mikels
Jacob Mikels
Barbara Mikels
Sarah Mikels
John Mikels
Wesley Mikels
Jacob Been
Sarah Been
Sarah B. Been
Margaret Hunter.

fourth mile northwest of the present location of the church property, on land now owned by Judge S. O. Houston. Services were held in a "Meeting Shed" located on a hill west of the Sevierville pike on what is now the Russell farm. This shed appears to have been a community meeting place not unlike those common to frontier communities during that period. Services continued to be held in the shed until the first log meeting house was built in 1843. Two or three sadly neglected, almost forgotten graves now bear mute testimony to the beginnings of a burying ground near the spot where the old shed stood.

It would be interesting to discover a record of the sermon preached by Mr. Snoddy on the day the new church was organized. No such record, however, has been found. There is, nevertheless, in the files of his grandson, Mr. W. E. Parham, of Maryville, a copy, in his own handwriting, of a sermon that would undeniably have been appropriate for just such an occasion. Its title is "Church Organization," and the text is from Acts 2:47: "And the Lord added unto them day by day those that were saved."

During the same year that New Prospect church was organized, Mr. Snoddy suffered the loss of his first wife. Her burial was at Eusebia. The next year he bought the farm of which the present church site is a part and, having been married again on January 1, 1835, he very soon thereafter moved to the new home. The house in which the family lived was built of logs and was located across the Sevierville pike, southwest of the present church site. As recently as 1908 the ruined chimney of this early home was still standing, and the place can even now be located by certain old trees and a cistern south of what is known as the Gates Thomas road.

Conditions do not appear to have been favorable to the rapid growth of new churches within the bounds of Union presbytery at the time New Prospect was organized. If the revival spirit noted by Mr. Snoddy in 1833 was widespread, it must have been short-lived. Such is the conclusion to be drawn from evidence contained in a report on the state of religion, a report that was submitted to the presbytery at its April meeting in 1835. The following sentences are taken from that report:

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On the same day, November 9, 1834, the newly organized church received the following persons on examination: Isaac Mikels, Elizabeth Walker, Jane Write, George Write, and Hannah Write. Thus the church had from the day of its organization a membership of twenty-five. Records, New Prospect church, November 9, 1834, I, 2-3. Responsible for the safe-keeping of these records is the clerk of the session, periodically elected by the local church membership.

> We have to acknowledge the withdrawment of the divine influences of the Holy Spirit to a very great extent. During the past year but few, if any, of our churches have enjoyed anything like a revival of religion; but on the other hand many are sunken down into a state of coldness and apathy that is truly alarming. In some of our churches prayer meetings are regularly kept up, but in others they languish, or are entirely neglected. In some, Sunday Schools are kept up and are well attended; in others, they languish or are suspended. The temperance reforms must be reported to be at a stand, or rather on the decline; at least, with regard to the efforts that are made to arrest the progress of intemperance or stop up the fountain head. In view almost of the house of God, which was recently the theatre of the triumphs of redeeming love, has been erected the distillery and prepared the race ground, and the consequence has been that of bloodshed and murder.[7]

In spite of such conditions, however, New Prospect was soon off to a worthy, if modest, start as a regularly organized church. This is indicated by the following entry taken from the minutes of Union presbytery for the April meeting in Knoxville in 1836: "The elders of New Prospect Church reported that they had employed the Rev. Robert Snoddy one half his time, that they had promised him $20.00, and paid $31.20; and that he had faithfully discharged his duties to the satisfaction of the Church."[8]

The records of New Prospect church during its first years indicate that the little group was not free of internal trouble. In 1835, it was deemed necessary to discipline one of the members, G. Write,[9] for fighting. He refused discipline and expressed a desire to withdraw from the church. His request was granted by the session "till reformation justifies his reception," and the moderator was ordered to give public notice of his suspension on the 27th of April,

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[7] Union presbytery minutes, April 9, 1835, pp. 243-244.

[8] At the same meeting, Mr. Snoddy was ordered to organize before the next sitting of presbytery, a church in Sevier county to be known as Liberty church. This new creation, established at the request of Samuel West and others, does not appear to have made much progress. After seventeen years of precarious existence, presbytery took note of the fact that Liberty church had quite disappeared, hence the name was dropped from the roll of presbytery in 1851 (*ibid.*).

[9] The spelling is "Write" in the church records.

1835. The next year, for "taking things she had no business with," Mrs. Jane Write was likewise suspended.[10]

Concerning developments at New Prospect during the next two years presbytery noted (October, 1837) only that Reverend Robert H. Snoddy had been faithfully discharging his ministerial duties. The church had promised him that year $18.00, had paid it all, and had given him $5.00 in addition.[11]

The year 1838, however, was a particularly trying one, not only for the church but for the community as well. Then it was that a plague called black-tongue descended upon the land. Only a few days would pass without a funeral. So frequent were the calls for his ministrations that Pastor Snoddy was seldom at home. As this period of distress in the community drew toward its close a sacramental meeting was held at New Prospect beginning on the second Sabbath in September and continuing ten days. According to the pastor, it was a meeting long to be remembered, for "God was in the midst strengthening and comforting his children and bringing sinners to accept salvation." One patent result was that twelve persons were added to the church, swelling the membership to thirty-three.[12]

As a gift from its pastor, New Prospect in 1843 received the land on which the first church was to be built that same year. This land is a part of the present church property.[12a] The original deed provided that the land was to be used for the "ministration of the Word of God. If it is to be used for any other purpose the elders shall decide about the matter; but in no case shall it be appropriated for the use of a common week-day school." The prohibition contained in the last clause probably reflects an issue then very much alive, but now long deceased.[13] To other denominations of Chris-

[10] This paragraph is based on information contained in the records of New Prospect church for April 12, 1835, and April 10, 1836.

[11] Union presbytery minutes, October 3, 1837, p. 309.

[12] Missionary report, dated 1838, in the handwriting of Rev. Robert H. Snoddy. This report is in the possession of W. E. Parham, Maryville, Tennessee.

In more normal years New Prospect's growth was not so rapid: in 1841, one member was added; in 1842, five. Records New Prospect church, June 13, 1841, October 30, 1842, November 2, 1842, I, 31, 33.

[12 a] The church is located about four miles southeast of Knoxville, in Knox county, on what is known as the Sevierville pike.

[13] One authority on the history of education in the United States characterizes the period from 1825 to 1850 as that of agitation for publicly controlled, non-sectarian common schools. He speaks of the bitterness of the fight and says, "Excepting the battle for the abolition of slavery, perhaps no question

tians the grantor extended the privilege of using the property when ever it was not actually in use by the Presbyterian congregation, and so long as these other sects refrained from organizing a church or holding a business meeting thereon.[14]

The first meeting house to shelter the New Prospect congregation was built of logs. The site was approximately that of the northwest corner of the present building. This rough but sturdy structure was dedicated soon after it was built. The following brief note is all that appears in the record: "New Prospect Meeting House was dedicated to God's service July 30, 1843 by Rev. R. H. Snoddy."[15] This building was to serve the congregation for twenty-eight years, that is, until 1871, when a new and more pretentious church house was erected. Then the old log structure was torn down, the materials being sold to Mr. Newman Johnson, father of Bert and Arthur Johnson. The purchaser hauled the logs to the site of the present Arthur Johnson home and there built a barn of them.[16]

As frequently met with in the church records, perhaps, as entries of any other nature are those dealing with discipline. It was not unusual for members of the New Prospect congregation to be disciplined for misconduct, consisting, as often as not, of swearing, fighting, or drinking. Partly because most Protestant churches of that section then disciplined members for such offenses,[17] a few typical cases, drawn from the records of New Prospect, may be laid before the reader. For example, in 1845 the session learned through report of one of its members that a certain Mr. Wilson had been drunk on October 12. He acknowledged the truth of the charge. "but made no Christian confession and was accordingly sus-

has ever been before the American people for settlement which caused so much feeling or aroused such bitter antagonisms. Old friends and business associates parted company over the question, lodges were forced to taboo the subject to avoid disruption, ministers and their congregations often quarreled over the question of free schools, and politicians avoided the issue. The friends of free schools were at first commonly regarded as fanatics, dangerous to the State, and the opponents of free schools were considered by them as old-time conservatives or as selfish members of society." (Ellwood P. Cubberley, *Public Education in the United States* [Boston, 1919], 119).

14 The tract donated by minister Snoddy measured two and a quarter acres. The deed is recorded in the office of the Recorder of Knox county, Knoxville, Tennessee. A certified copy of the original deed, dated September 26, 1871, signed by C. Morrow, Register, is among the records in possession of the session of the church.

15 Records, New Prospect church, I, 33.

16 Drawn from the memory of older members of the present congregation.

17 This statement is based upon the author's rather wide acquaintance with records of the churches indicated.

pended until such confession was made."[18] Then, for May 18, 1847, the following entry appears in the records: "Session met, constituted with prayer. In due form suspended Sarah Jane Eddington for dancing. Concluded with prayer. Session adjourned." In October of the same year it was noted that "After many efforts to convince Matthew N. Anderson of the unbecoming conduct of quarreling and wanting to fight, and he having made no Christian acknowledgment, the Session proceeded in due form to suspend the said M. N. Anderson."[19]

At least one of New Prospect's disciplinary discussions was far-reaching in its consequences. Surprisingly enough, it involved two of the three elders, or members of the local session. These were Paul Cunningham and Demarcus Simpson. The latter was not only an elder, but he had been honored as one of the original petitioners for the organization of New Prospect church. Early in 1858 the charge was made that these lay dignitaries had profited by the sale of distilled liquors at a licensed grocery store in which they were financially interested. Cunningham and Simpson admitted that the accusation was founded in fact, but raised the question as to what should be the attitude of the church toward members following such a course of action. Inasmuch as the two elders obviously could not sit in judgment upon themselves, the issue was carried before presbytery, meeting at Rockford on March 26, 1858. To deal with the subject a special committee was appointed. In due time a report was submitted, which, when adopted, expressed official attitude as follows:

> . . . this Presbytery disapproves in the strongest terms of the conduct of any members of the church, and especially, in the elders of the church being connected in any way, directly or indirectly, in the sale or vending of ardent spirits. And further that unless the persons named in the reference shall immediately abandon the unhallowed traffic and manifest deep repentance for their wicked conduct that this Presbytery will feel itself solemnly bound to take measures to have them expelled from the privileges and connection with our branch of the church.
>
> They further recommend that the pastor of the church be ordered to read this minute from the pulpit of New

[18] Records, New Prospect church, November 20, 1845, I, 38.
[19] *Ibid.*, October 24, 1847, I, 42.

> Prospect church and that he report the result at the next meeting of this Presbytery.[20]

Thus an issue raised at New Prospect was the means whereby the position of the Presbyterian church in East Tennessee was clarified on a most important moral issue. One gathers the impression from the record that Mr. Snoddy was strongly disposed to lend his support to the presbytery's pronouncement.[21] Unfortunately, it is not possible to determine the extent to which agitation for temperance reform became characteristic of New Prospect during the earlier period. On the other hand, it is definitely known that a little later a society known as "The Sons of Temperance—A Mutual Relief Association" was organized and a building known as "Temperance Hall" was built on land belonging to the church.[22]

At some date prior to 1857 Pastor Snoddy removed to a new home just north of Knoxville.[23] The change, however, entailed no break in his ministerial connection with New Prospect. Nevertheless, his ministry was almost over. Death came to him on June 22, 1859. The following September, presbytery in session at Knoxville took note of his passing in the following words: "The Presbytery takes this occasion to express its regard for the memory of that humble and faithful devoted brother and minister of the Lord Jesus Christ. His life and labors gave evidence that he was a child of God, a good man and a diligent servant of the Lord in the Ministry."[24]

New Prospect had no more than recovered from the shock of losing its pioneer pastor than there came the greater shock of civil war. The part played by the church in that conflict is unrecorded. If the absolute break in the records be a true indication, then the church ceased functioning for the duration of the struggle.

Eighteen hundred and seventy looms large in the annals of New Prospect. On April 24 of that year, young John Willoughby was received into the church by certificate of transfer. With the as-

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20 Union presbytery minutes. Extract copied in the records of New Prospect church, I, 53-54.

21 The record of the action is in his own handwriting and is the last appearance of his name in the record (*ibid.*).

22 This statement is based on information supplied by Rev. A. H. Mutschler, present pastor of New Prospect church, and was secured by him from certain elderly members of the present congregation.

23 The new home was located on the north side of Sharp's Ridge.

24 Union presbytery minutes.

sistance of another young man, Alexander Carson by name, Willoughby immediately initiated a revival. Meetings held in the old log church were attended with extraordinary success; the list of conversions grew; within a twelvemonth thirty-seven new names had appeared on the church roll.[25]

Willoughby and Carson busied themselves also in efforts to secure a new and adequate house of worship for the revived and enlarged congregation. By Christmas day their efforts were reflecting success. At that time a "subscription paper was drawn up and a building committee was appointed with instructions to devise means and proceed to the erection of a suitable house of worship."[26]

A new home for the congregation of New Prospect went up without undue delay. Financing of the project was facilitated by two loans, totalling $900, made by the Board of Church Erection Fund of the Presbyterian church.[27] Lumber was sawed at Keener's Mill, above Seven Islands, boated down the French Broad River to Mickel's landing, and thence hauled to the building site by wagon.[28] Concerning the actual process of construction the records are silent, nor do they even reveal the dates of the building's completion and dedication. It is noted, however, that the new edifice was painted in the late summer of 1872,[29] and that presbytery met there the following spring.[30]

It was in 1873 that New Prospect put into effect the rotary system, according to which church officers were elected to serve actively for a term of years instead of indefinitely.[31] This was something of an innovation in church practice at that early date and indicates a progressive attitude toward the administration of its affairs that has been characteristic of the congregation ever since.

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[25] Records, New Prospect church, April 10, December 25, 1870, I, 58-65.

[26] *Ibid.*, December 25, 1870, I, 64. The building committee consisted of J. W. Anderson, Joseph Ford, Alexander N. Carson, Charter Doyle, William Haun, Joseph Elzy and J. W. C. Willoughby.

[27] Recorded in the office of the register, Knox county, Knoxville, Tenn., Trust Book A, I, 566; Note Book A, 9; Book B, II, 54. Certified copies of these transactions are among the records in possession of the session of the church.

[28] This statement is based on information supplied by older members of the present congregation.

[29] Minutes of the session, August 4, 1872, II, 3. The first book of records is entitled "Records of New Prospect Church," the later ones, "Minutes of the Session."

[30] Union presbytery minutes. It should be remarked that John Willoughby, who had done so much to revitalize the life of New Prospect, was that church's only son to enter, directly at least, the Presbyterian ministry.

[31] Minutes of session, October 2, 1873, II, 6.

With no small amount of pride the church could now consider its new building, its enlarged membership, its well attended Sunday School, and its renovated administration. Yet complete harmony by no means reigned. If almost every meeting of the session placed one or more new names on the church roll—as was the fact—, then all too often such meetings considered cases of discipline as well. Although it was doubtless no more than a coincidence, this was especially true of the years immediately following the great revival of 1870. As time went on, however, disciplinary actions became more and more uncommon until, with the year 1893, they disappeared entirely. Such, of course, did not signify that the need for discipline had passed away; it meant, in fact, no more than that New Prospect had fallen into line with many other churches of that day in abandoning discipline as an instrument of ordinary usage.

Though located within a few miles of Knoxville, New Prospect was a non-urban church. It served, in fact, an agricultural community. Therefore, it is not surprising to find that the membership was none too well endowed with worldly goods. The low financial level is reflected, albeit roughly, in the annual budgets. Take, for instance, the year 1899. With a membership of eighty-three, the pastor's salary was $100, while the handsomest gift made by the congregation to a benevolent cause was the $9.15 raised for home missions.[32] It is gratifying to note that in succeeding years appropriations markedly increased, not only actually but relatively as well. Perhaps farming was yielding better returns, perhaps the membership was feeling a greater sense of financial responsibility.

In February 1906 a committee of the session was appointed to negotiate the purchase of a small piece of land lying between the church property and Sevierville pike.[33] This tract, half an acre in extent, was bought and secured to the church by deed of transfer from T. J. Burnett on February 4, 1907.[34] The new acquisition increased New Prospect's total land holdings to approximately three acres.

Meanwhile, the congregation had ordered, on November 11, 1906, the church building turned about and so relocated as to face the nearby road. Mr. Newman Johnson was chosen to do this work,

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32 *Ibid.*, II, 70. Statistical report.
33 *Ibid.*, February 11, 1906, II, 89-90. The object was to facilitate the re-arrangement of the church's cemetery.
34 Recorded in Book of Deeds 208, p. 40, in office of county court clerk, Knox county, Knoxville, Tennessee.

while a committee from the congregation was appointed to have general oversight of it.[35] For some unknown reason, however, plans went awry, with the result that by the following September the congregation was again considering the removal of the church building to a new location. This time it was decided to move the structure straight forward and not to turn it around as had formerly been agreed upon. The later verdict held, the edifice was moved forward, and the fronting of the church in its present direction was fixed.[36]

As one might expect, such records as are preserved by the session shed very little light upon certain important phases of the work of the congregation. The Sunday school is an example of one such significant activity only summarily treated in the record. Enough is presented, however, to make it clear that the Sunday school entered upon a period of substantial growth soon after the turn of the century. In 1904 the enrollment was seventy-eight; by 1908 it had increased to 130; by 1910, to 140.[37]

The Sabbath school's rapid advance was not unique. In fact, growth in every department characterized the period of the 1890's and of the two succeeding decades. That generation was almost spanned by two outstanding pastorates, those of W. R. Dawson, D. D., and T. J. Miles, D. D. Much of the progress then made by New Prospect seems to have been owing to the forwardness of these two clerical leaders. One instance of such progress was the execution, in 1908-1909, of a program calling for extensive physical improvements.[38] A more signal success was the achievement, in 1910, of the long sought goal of self-support.[39] Heretofore, the financing of New Prospect had been in part dependent upon funds advanced by the home mission board of the Presbyterian denomination. Hereafter, the church would stand alone, meeting its own obligations.

With the United States' entry into the World War, New Prospect mobilized her resources in support of the cause. Prominent among these resources was that moral strength possessed to a special degree by an organized religious group. More tangible, if not more

[35] Minutes of session, November 11, 1906, II, 94.
[36] *Ibid.*, September 6, 1907, II, 102.
[37] *Ibid.*, II, 110, 142. Statistical reports.
[38] *Ibid.*, II, 124-130.
[39] *Ibid.*, II, 140. Historical note. Also eloquent of the church's expansion was the reception, in 1910, of twenty-five additional members (*ibid.*, II, 140).

powerful, was the church's contribution in man-power. The service flag came to number fifteen blue stars, none of which, fortunately, changed to gold.[40] Following the close of conflict and the return of her proud veterans to civilian life the church held a homecoming and thanksgiving celebration. Thanks were returned to Almighty God "for the safe return of our boys," while at the same time the congregation publicly expressed its "heartfelt appreciation" for the valuable services rendered by the sons of the church "in behalf of our country, our homes, and all mankind."[41]

Thus was the spirit of the church tested by war; later it was to be tested by fire. The fire came on November 30, 1924. The following description is taken from the record:

> In the midst of Sunday School the alarm of fire was given and the congregation filed out in an orderly manner to find the roof ablaze. A stiff west wind spread the flames rapidly.... The church building was totally destroyed. When the excitement began to subside the pastor, Rev. H. E. Orr, called the congregation together in the yard. Standing on a bench, he offered a prayer of thanksgiving for the safety of the people and a petition for guidance in future undertakings. Upon motion, a congregational meeting was called for the following Sunday. The Sunday School Superintendent, Judge S. O. Houston, announced Sunday School at the neighboring school house for the next Sunday.[42]

Neighbors offered storage space in their homes for such furniture as had been salvaged from the burning building and within two hours after the fire was discovered the furniture had been stored and initial steps taken to meet the emergency that had so suddenly confronted the congregation.

Here was a major catastrophe indeed. The building that had been destroyed by fire was valued at $5,000, with insurance coverage of only $3,000. The church membership at that time numbered 136; the average attendance at Sunday School was 125.[43] In re-

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[40] The fifteen were Amos Johnson, Darrel Doyle, Vernon Doyle, Lester King, Jesse Doyle, Burnett Doyle, Bernice Doyle, Eb King, Joe Johnson, Eugene Doyle, Cecil Anderson, Connor Burnett, Frank Thomas, Melvin Webb, Dawson King.

[41] Minutes of session, II, 132-133.

[42] *Ibid.*, II, 221.

[43] *Ibid.*, II, 215.

building, the future would have to be taken into account; a structure no larger than that just destroyed was unthinkable. To meet adequately the needs of the future involved the raising of a sum which might be beyond the capacity of the congregation. The membership, it should be emphasized, numbered only 112 who were past eighteen years of age, and of the 112 not one had an annual income exceeding $5,000; in fact, most annual incomes were far below that figure. All the more admirable, therefore, was the manner in which the church met its crisis. When on Sunday, December 7, 1924, the congregation met to take action for the future, it was determined to rear a new edifice at an estimated cost of $15,000.[44] The end, however, was not yet. Further investigation revealed that this amount would be inadequate. Accordingly on January 11, 1925, the congregation unanimously agreed to raise the building quota to $20,000. With planned efficiency and with a zeal becoming a worthy cause the solicitors sought to secure, within the short space of a single week, pledges from the membership equivalent to the desired amount. The succeeding Sabbath was a great day in the life of New Prospect church. When all reports had been made, it was found that the congregation had responded with $1,012 more than the quota.[45]

By June 29, work on the new building was well under way. On that day was held a special service for the laying of the corner-stone. In connection therewith, several papers of historical interest to the church were deposited in a cavity carved for the purpose in the corner-stone.[46] From this point, construction proceeded apace. Meanwhile, all the regular services of the church had gone forward without interruption, for the board of education of Knox county had generously permitted, throughout the interim, the use of a neighboring school house for every necessary purpose. Within one year after the fire the congregation was again housed, this time in its present commodious and beautiful building. On November 29, 1925—a year, lacking one day, after the fire—homecoming was observed. With a fitting dedicatory program, the newly built structure was put into the service of the congregation.[47]

Even before the fire a manse had been visioned, but not erected. In October, 1921, Mrs. Emily Virginia Caroline Doyle had made

[44] *Ibid.*, II, 225.
[45] *Ibid.*, II, 232. Historical note. The final, revised estimate as to the cost of the new structure was $20,750.
[46] Minutes of session, II, 252. Historical note.
[47] *Ibid.*, II, 258.

the church a bequest, looking toward the establishment of the Charter Doyle Memorial Manse. Supplementary gifts so swelled the generous original fund that a pastoral home was made possible. Reverend A. H. Mutschler was, and is, the first occupant.[48]

Such, then, is the story of New Prospect's one hundred years. It is not the story of a great number of people; in all, the church has enrolled but 536 members. It is, however, the story of high devotion to a great cause on the part of all those who have, throughout the years, had their names on the church's roll of membership. It is the story of a group of people whose zeal and faithfulness have been tried at various times by pestilence, by war, and by fire, and tried most of all by those deadening influences which everywhere and always dispute the progress of the kingdom of heaven. It is the story of a small church that has deserved to succeed, it is the story of one that has succeeded. Yet most of its successes cannot be written down, for they are successes of the spirit. The story as here related is not the real story of New Prospect church. The real story is that of changed lives, of the birth of high hopes and purposes, of long and patient devotion to the cause of Christ and of ultimate triumphant realization of life that is to be.

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[48] Record of the bequest of Mrs. Doyle to New Prospect church will be found in the office of the county court clerk, Knox county, Knoxville, Tennessee.

The following ministers have served New Prospect church. The date of service of each is indicated. The church was without a pastor during the periods for which no dates are given.

Robert H. Snoddy, 1834-1856
James C. Davis, 1873
Eli N. Sautell, 1874-1875
James C. Davis, 1877
Thomas T. Alexander, 1879
Robert H. Hook, 1880
William M. Greenlee, 1885-1886
Henry B. Wilson, 1887
C. B. Lord, 1888
Nathan F. Tuck, 1889-1890
William R. Dawson, 1891-1901
Isaac Pearce, 1902-1906
Thomas Judson Miles, 1907-1918
L. A. Angus, 1919
Ernest E. Loft, 1920-1921
Horace E. Orr, 1921-1926
Clinton H. Gillingham, 1926-1928
Albert H. Mutschler, 1929—

# THE UNIONIST JUNKET OF THE LEGISLATURES OF TENNESSEE AND KENTUCKY IN JANUARY, 1860[1]

By Madison Bratton

In the years 1859 and 1860 the dark cloud of sectional discord was besetting the American Union. Many men felt that the impending crisis was at hand. Dred Scott, Kansas, John Brown, and the mutual intolerance of North and South almost daily added fuel to the flames.

Yet there were other citizens who did not share the current belief that an irrepressible conflict was on the horizon. There was a ray of hope that the American Union would endure without a recourse to arms. In the border states of the Ohio Valley politicians, editors, and thinking citizens believed the conflict could and would be averted, and by their very attitude gave validity to this hope.

The completion of the Louisville and Nashville Railroad almost on the very eve of secession afforded this feeling an opportunity to manifest itself.[2] By the time of its completion this road had become a symbol of unity between Tennessee and Kentucky and of their union with the states north of the Ohio. Agitation for the railway's construction had been begun in Louisville in 1849, but fear that the railroad might have adverse results in diverting trade had caused apprehension in both Louisville and Nashville. Nevertheless, the building of the Western and Atlantic and the interest resulting from the Memphis railroad convention had overcome this fear, and early in 1852 the Tennessee legislature yielded to popular demand and made grants to numerous infant railroad companies, among them the Louisville and Nashville, by issuing state bonds on a mileage

[1] In the preparation of this article newspaper files were examined in the Carnegie Library in Nashville, the Cossitt Library in Memphis, the Georgia State Library in Atlanta, the Louisville Free Public Library, the University of Chattanooga Library, the Wisconsin State Historical Library in Madison, and the Ohio State Library and Archeological Library in Columbus.

[2] The Louisville and Nashville had been incorporated in Kentucky in March, 1850, and in Tennessee nearly two years later after the company had agreed to make some minor changes in its plans and policy (P. M. Hamer (ed.), *Tennessee A History* 1673-1932 (New York, 1933), I, 435-6, 422).

basis.[3] Davidson county, Tennessee, and the city of Louisville purchased Louisville and Nashville stock and counties along the way were encouraged to do the same.[4]

The Louisville and Nashville had much to gain if its plans to share in the commercial and industrial affairs of Nashville and Middle Tennessee were realized. Middle Tennessee, which the road planned to tap, annually exported goods worth $12,000,000, much of these consisting of raw and manufactured cotton. A fortune was invested in the iron industry, which shipped its products not only to the Southeast through Chattanooga, but to the North, to Louisville, Cincinnati, and beyond. Great numbers of cattle, hogs, and horses were shipped out of the state. Considerable amounts of corn and tobacco found their way to distant markets. Robertson county whiskey already enjoyed a national reputation.[5] Obviously, the prosperity of the railroad depended on the maintenance of peace in the region it served and on uninterrupted service to the Northern markets. It is not surprising that the Louisville and Nashville lent its energies to preserve the peace.

When in August, 1859, the first scheduled train ran over the Louisville and Nashville,[6] the people who contemplated the new era of prosperity prepared for a ceremonial thanksgiving. Late in the month sundry citizens of Nashville planned a huge barbecue to which the citizens of Tennessee and Kentucky were invited. Anxious to cooperate the railroad offered its trains to those who cared to attend. The committee of arrangements hastily obtained orators and gathered tables, chairs, stands, and other paraphernalia of barbecue.[7]

The plans called for a celebration which would differ in no essential respect from similar scenes which had been and were being enacted all over the country in those decades of feverish railroad construction. Even the prominence given the Nashville merchants in the line of march could have been duplicated in dozens of celebrations. No one could have realized that an affair which was purely regional in its inception was to assume national importance before

[3] Hamer, *op. cit.*, I, 422.
[4] *Ibid.*, I, 435. In Tennessee Robertson and Sumner counties, for example, attempted to outbid each other to secure tracks, Sumner finally winning with a $300,000 purchase.
[5] *Ibid.*, I, 427.
[6] *Ibid.*, I, 436. It was late in October before the complete run from Louisville to Nashville was made (Nashville *Patriot*, October 27, 1859).
[7] Nashville *Daily Gazette*, August 28, September 2, 1859.

many months had passed. All unmindful of its portents, the Nashville committee prepared for a parade of military companies, bands, and local citizens of note as the *pièce de résistance* of the celebration that was to be the first of a series.[8]

Newspapers raised ecstatic voices in contemplating the coming festivities, urging Tennesseans to make the affair "a glorious reunion, the memory of which shall be 'a well-spring of pleasure' in all time to come."[9] Perceiving the practical benefits of the railroad, the Nashville *Patriot* declared the celebration would "inaugurate a brighter era of good feeling between...Kentucky and Tennessee." Social and economic isolation would be ended by the railroad.[10] Another Nashville paper, the *Republican Banner*, saw commercial implications in the handshaking that would be of utmost value to the local merchants and which would establish "the reputation of our people for hospitality and enterprise."[11] To another editor the occasion was one of "measureless importance to our city and state—the union of Kentucky and Tennessee by railroad."[12]

Officials in charge were not negligent in echoing the economic pronouncements of the editorial writers. A marshal declared "the Union of Kentucky and Tennessee by railroad constituted a new era in the history of Nashville." He urged every citizen "to participate in the ceremonies...giving our Kentucky friends a most hearty and cordial welcome."[13] Sociability and business went hand in hand. The newspapers and promoters realized the personal element was a powerful factor in the commerce of the day. And the services of the Louisville and Nashville were not forgotten. The free carriage offered by the railroad was not an unwise investment and the road came in for a full measure of praise. The Louisville and Nashville had rendered a great service to the Southwest. It was praised for opening up the country. The celebration was termed the "marriage day" of Tennessee and Kentucky,[14] the Louisville and Nashville officiating. Advertising space was not at a premium. It was donated by benevolent publishers. One editorial termed the railroad one of American enterprise's "noblest works"; it would help to "obliterate sectional barriers to fraternal brotherhood."[15] The

[8] *Ibid.*, September 6, 1859.
[9] *Ibid.*, September 4, 1859.
[10] Nashville *Patriot*, September 6, 1859.
[11] *Republican Banner* (Nashville), September 5, 1859.
[12] Nashville *Daily Gazette*, September 6, 1859.
[13] *Ibid.*, September 6, 1859.
[14] *Republican Banner* (Nashville), September 6, 1859.
[15] *Ibid.*, September 6, 1859.

idea of a community of interest between the two states was rapidly taking form. It was not unnatural that the enthusiasts should proceed to a consideration of the national scene and of the forces that were threatening the dissolution of the Union.

Speeches at the ceremonies reiterated newspaper laudations of the railroad and the editors' roseate prophecies of impending prosperity. Nor were the orators unaware of the significance of the new bonds of union between the two neighboring states. No mention was made of the fortune of public money that had made the railroad possible, but even without so indelicate a reference the popular acclaim was sufficient to clothe the Louisville and Nashville with a public interest, to affiliate it definitely with the communal welfare.

The completion of the railroad from Louisville was the signal for a second celebration, on a smaller but more dignified scale. The first through train from Louisville arrived in Nashville late in October, bearing some hundred dignitaries, including the mayor of Louisville, aldermen, stockholders in the company, and gentlemen of the press. The second excursion with its accompanying demonstration passed off rather peacefully, and although it did not excite so much popular enthusiasm, it did serve to inspire a third celebration which by far overshadowed the first two.[16]

Upon the delegation's return, the Louisville *Journal* announced that it was high time Kentucky played host and Louisville had a party.[17] With that development the railroad excursions became a definite attempt to meet the day's most pressing problem—that of threatening secession and, perhaps, even of civil war.

Late in December, 1859, Louisville's invitation was forthcoming. The mayor and common council sent to Governor Isham G. Harris an invitation that Tennessee attend Louisville's party. "The two states," read the invitation, "are bound together by love for each other, and by a common love for the Union. They have recently been linked together and brought into daily communication by the completion of the Louisville and Nashville Railroad, through the joint enterprise of the citizens. The citizens of Louisville, anxious to strengthen these ties, and perpetuate that harmony which so hap-

16 Nashville *Patriot*, October 28, November 2, 1859.
17 *Ibid.*, November 2, 1859.

pily prevails, hope soon to witness the two governments mingling together at one festive board."[18]

Governor Harris sent the invitation on to the legislature and on January 6, 1860, it was accepted by that body "to strengthen the bonds of harmony and good will, and to perpetuate these kindly sentiments so clearly manifested."[19] Later in the month the Kentucky legislature accepted a similar invitation from the state's largest city and planned to meet with the visiting lawmakers from Tennessee.[20] In formally accepting the invitation for Tennessee, however, Governor Harris did not hesitate to qualify somewhat the wholehearted Unionism of the Louisville mayor. "Devotedly attached," said the governor, "as are the people of Tennessee to that union which owes its existence to the adoption and maintenance of a written constitution, it will afford me pleasure, as one of their representatives, to meet the Constitution, Union-loving people of Kentucky and join them in resolving that this bond of union, as established by our fathers, shall be maintained in all its parts, and each and all its quantities, in letter and spirit, as the only means of securing equality to the states, justice to the citizens, and impetus to the Union forever."[21]

The steamboat companies refused to step gracefully aside as is seen by the Memphis, Louisville, and Cincinnati mail line's invitation to the Kentucky legislature to extend its vacation by a boat trip to Cincinnati. The invitation was accepted and extended by the Kentucky legislature to include that of Tennessee, which relished the prospect of invading the region "beyond the line."[22]

The Tennesseans arrived in Louisville late in the afternoon of January 24, and were enthusiastically greeted by the mayor, a guard of honor, a military company, and a brass band.[23] It was reported that while the reception was quiet, it was "nonetheless hearty."[24]

The reception was followed in a few hours by a great banquet. The $5,000 raised by the mayor was put to good use. Covers were

[18] Proceedings of the Tennessee Senate, January 6, 1860, in Nashville *Union and American,* January 7, 1860.
[19] Tennessee legislature, Nashville *Union and American,* January 10, 11, 1860.
[20] Louisville *Journal,* January 16, 1860; Louisville *Democrat,* January 17, 1860.
[21] Louisville *Courier,* in Memphis *Weekly Appeal,* January 18, 1860. When the time came to go, Governor Harris was conveniently ill (Louisville *Democrat,* January 25, 1860). His personal papers indicate no illness at that time.
[22] Louisville *Democrat,* January 19, 1860.
[23] Nashville *Daily Gazette,* January 26, 1860.
[24] Louisville *Democrat,* January 24, 1860.

laid for seven hundred hungry and thirsty souls. Food was plentiful and the hosts generous. Seventy-five items crowded the bill of fare. Eminent citizens from other states included James A. Garfield of Ohio, and Governor Ashbel P. Willard of Indiana. Wine flowed freely, and toasts were proposed to the several states represented, the Constitution, the Union, the legislatures, the Pilgrims, the pioneers, women, the Louisville and Nashville Railroad, and a host of persons, places, and items that occurred to the assembled lawmakers. Each toast gave opportunities to make reassuring allusions to the permanence of the Union. A toast to Tennessee and her "patriot-hero" who had proclaimed "Our Union—it must be preserved!" was answered in equally glowing terms by Tennessee's T. W. Newman, who paid fitting tribute to Kentucky's greatest son.[25] Surely, it was a momentous occasion—the reconciliation of those two Western titans, even if in death.

But it took Senator R. G. Payne of Memphis to enter really into the spirit of the festival. "Sir," he exclaimed, "I never contemplate the dissolution of the Union. I never could look it in the face.... Where, sir, is the foul hand that would weave a shroud with which to wrap American freedom and American Union? Where is the hand that would apply the torch to this glorious temple, created by our fathers, consecrated by their prayers, and in which we their children are permitted to live? Is there a...soul in the limit of my voice that would project such a calamity as this? Will the assembled Representatives of Tennessee and...Representatives assembled from our brother states answer me if there is any man in our state who desire the destruction of the Union?" Apparently there was none, for the senator's question was answered by a thundering shout of "No! No! No!"

"I have property in Independence Hall!", claimed the speaker. "I cannot give up Massachusetts, even such a devil as she has grown. I have a noble estate willed me by George Washington, Hancock, Lee and Adams!...If a battle is to be fought, I will fight but it will be on the side of the Union....I trust God, my countrymen, that in such an event you will stand with me and swear 'by the eternal,' as Jackson himself swore, to defend the 'Union with our fortunes and our lives!'"[26] The death of the golden age of oratory in America was not least among the casualties of the Civil War.

[25] Louisville *Journal,* January 25, 1860; *Ohio State Journal* (Columbus), January 27, 1860; Nashville *Patriot,* January 27, 1860.
[26] Nashville *Patriot,* January 27, 1860.

The senator's reputation as a strong unionist was weakened somewhat by his action several months later. But perhaps no one then had time to recall his Louisville speech when in the spring of 1861 he and Newman did their part in taking Tennessee out of the Union.

The newspapers generally were more than enthusiastic over this outburst of fraternity. The occasion was seized upon by the conservative press as proof that the sectional controversy was not so severe. For example, the Louisville *Journal* declared "The festivities today have a great significance that cannot fail to produce a most beneficial result;...It is a pledge of fraternity and union."[27] There had been few occasions in the history of the country more important in anticipated results.[28] The proceedings spoke "for themselves as well as for the Union....We entreat the nation to listen to this grand and beautiful voice...."[29]

"Truly it was an event of no trifling significance," declared the Louisville *Courier,* which went so far as to claim that "no one desires a dissolution of the Union."[30] This of course was not true. The calm optimism of the *Courier* is sadly remindful of the American press of a later day. The powerful New York *Tribune* attached considerable significance to the Louisville celebration. Under the caption "Strength of the Union" the *Tribune* reported editorially that

> the sentiment of nationality was strongly expressed.... We do not perceive such a meeting could be held in any part of the country where it would be otherwise. Here is a sentiment of loyalty and patriotism of a prodigious power, in all homogeneous nations. It is often blind and unreasoning but it is the more strong for that....Throughout this country this sentiment is as powerful as any other. We have a common ancestry, a common history, a common flag....In the heart of old Kentucky, a border slave state, we have a rousing Union meeting, in answer [to] empty garranades of Southern bullies in Congress and their wretched halfway echoes like Vallandigham of Ohio, and Fitch of Indiana; who threaten to dissolve the Union unless some popular election goes to suit them; as if these boisterous factions possessed a particle of power....The

[27] Louisville *Journal,* January 24, 1860.
[28] *Ibid.,* January 25, 1860.
[29] *Ibid.,* January 26, 1860.
[30] Louisville *Courier,* January 26, 1860.

> broad patriotism and common sense repudiate them all.... They are all alike evil birds of night croaking in dismal concord, and insulting the intelligence of the country with their senseless ravings.[31]

Either the Union-saving excursion was of valid importance or the conservative press in despair of the Union gave it artificial significance. The superficial analysis of the *Tribune,* the casual manner in which the prospect of Republican success in the presidential election was dismissed, was hardly enough to encourage the skeptical.

One editor, however, had no sympathy with the handshaking expedition. Under the head "A Free and Easy Legislature" the Nashville *Daily Gazette* said:

> The Tennessee Legislature has gone abroad....They have ceased for the time to legislate for the state, and gone off on the state's time to eat sumptous [*sic*] dinners at the expense of other states. We would not ungenerously deny them occasional respite from their ardous [*sic*] labor, but nevertheless think they presume on public forbearance when they vacate their seats for a week on a straight stretch and go off in a wild hunt after dogs of strange kennels. The people who gave them the right to seats in the capitol have a right to expect a more constant occupancy of that building. There is certainly nothing very exacting in this expectation upon the part of the people whose minds are deeply imbued with the axiom of "no work no pay." The intelligent and patriotic gentlemen...are employees of the State "with a fixed pay" for each day's work. For the time they work they ought to be paid—for the time they play, they ought to consider the fun they see equivalent to their per diem. They, however, don't seem to think so, and that makes a world of difference.[32]

While the Louisville party was in progress, the Ohio legislature dispatched James A. Garfield, the future president, to Louisville to transmit an invitation to the assembled legislators to visit Columbus. The invitation was quickly accepted.[33] The Cincinnati *Enquirer*

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31 New York *Tribune,* February 1, 1860.
32 Nashville *Daily Gazette,* January 26, 1860.
33 R. G. Caldwell, *James A. Garfield* (New York, 1931), 60. The Louisville *Journal,* January 25, 1860, reported that a Mr. Flagg, in Louisville with Garfield, was present to transmit the invitation.

promised that "our people will extend a most hearty welcome to our distinguished guests....Our Legislature will, we are confident, respond to this movement in patriotic spirit, and make proper arrangement for their reception."[34] The Ohio legislature appropriated $5,000 to cover expenses in Columbus.[35] The services of the steamboats had already been offered, and transportation to Columbus from Cincinnati was to be provided by the Little Miami Railroad.[36] The pass evil may not have been so dangerous at that early date but it was getting off to a good start. Once more the Cincinnati *Enquirer* urged the citizens to make the occasion "serve to bind still stronger the bonds of the union...between three great states."[37] Well they must have realized how much Cincinnati stood to lose in event of the secession of the states immediately to her south.

"Crowded with the beauty and fashion of...Kentucky and Tennessee," the steamer *Jacob Strader* arrived in Cincinnati on the morning of the twenty-sixth, and its passengers were wildly acclaimed.[38] The citizenry had been properly inspired the day before by the Cincinnati *Commercial.* "However it may be with the politicians," said the *Commercial,* "there is no unfriendliness between the people." Tennessee and Kentucky were held firmly "in the bonds of mutual interest." How sincere the *Commercial* must have been when it wished for the continued prosperity of those "sister commonwealths" that were playing such a large part in the commercial and mercantile affairs of Cincinnati! "Let [our visitors] carry away...the impress of genuine regard...of the people of...Ohio....Let them see that we are indeed one people, in spirit and feeling, as we are in blood and language."[39]

The Charleston *Mercury* contented itself with printing a letter from Cincinnati signed "South". "South" informed the *Mercury* that the visitors were to be "fed and liquored at public expense.... Union speeches are to be made by the bushel, and a great deal of gas emitted relative to the bond between the States of the Union. It will be all gas, I venture to predict. The Ohio Legislature are strongly black Republican...though whiskey and the almighty dollar may cause them to talk smooth....These devoted Union

[34] Louisville *Democrat,* January 21, 1860.
[35] *Ohio State Journal* (Columbus), January 23, 1860.
[36] Memphis *Weekly Appeal,* February 1, 1860.
[37] *Ibid.,* February 1, 1860.
[38] "J.T.B." to Nashville *Patriot,* January 30, February 1, 1860.
[39] Cincinnati *Commercial,* January 25, 1860. The *Commercial* had the largest circulation of any paper in the West and twice that of any other Cincinnati paper. See masthead of *Commercial.*

speeches are spasmodic efforts, gotten up as a kind of soporific pill, to lull to sleep the watchfulness of the" Southern states, "to keep them quiet until they may be comfortably yoked."[40] This Southern alien was indeed skeptical. There was, to be sure, "a great deal of gas emitted," although the validity of the rest of his analysis is a matter of conjecture. The *Mercury* took no further notice of the good-will junket. It is interesting to note that another influential journal, the Boston *Transcript,* printed not one line about the demonstrations in the West. This is not surprising, even though some Eastern sheets did give much space to the occasion, for the *Transcript* was not a paper to clutter its columns with such.

The excursionists left Cincinnati almost immediately after their arrival, and plans were made to honor them on the return trip.[41] They reached Columbus in the afternoon of the twenty-sixth and were conducted to the state house, where the Ohio legislature in joint session awaited them. They were welcomed to Ohio by Governor William Denison, while Governor Beriah Magoffin of Kentucky and Colonel Newman of Tennessee replied in behalf of their states. Magoffin promised he would report to his constituents the cordial treatment they had received, and Newman made his speech eulogizing the Union and the Constitution.[42] "J.T.B." reported to the Nashville *Daily Gazette* that the reception was "most enthusiastic," and that Tennessee and Kentucky did not let Ohio outdo them in "strong Union speeches." The trip, he said, "has been a thorough Union festival, and the many thousands along the route... shows the masses are Union loving."[43] The spirits of the excursionists had been buoyed, no doubt, by the dispensing of Nicholas Longworth's finest Catawba.[44] The visitors were escorted through the streets of Columbus to the martial music of brass bands and with the aid of military companies.[45] The legislators and "the fairest daughters of Kentucky and Tennessee" were given tickets that were "legal tender" anywhere.[46]

The visitors were honored with a banquet at Odeon Hall in Columbus and most of the time was consumed with toasts and responses. Tennessee was reported to have "taken the laurels" by way of

40 Charleston *Mercury,* February 2, 1860.
41 New York *Tribune,* January 26, 1860.
42 Nashville *Daily Gazette,* January 28, 1860.
43 *Ibid.,* February 1, 1860.
44 Memphis *Weekly Appeal,* February 1, 1860.
45 Columbus *Gazette,* January 27, 1860.
46 Memphis *Weekly Appeal,* February 1, 1860.

speeches. "J.T.B." reported that Jordon Stokes had become a universal favorite and had "been compelled to run all night to accommodate the Union loving people of this section."[47] One correspondent reported that "the jam at the banquet was terrific." It was from appearances a merry occasion, for it was related that the "wine in the east end of the room was the cause of so much confusion that for a time the speakers could hardly be heard." Tennessee and Kentucky justified one of their richest traditions, for at midnight everyone was still in "good condition."[48] Banquets, parties, and balls were in progress at numerous places throughout the city during the evening.[49]

The reaction of the press to the Columbus demonstration was generally one of enthusiasm, although there was an occasional voice of derision. The Columbus *Gazette* was typical of the Northern papers. "The visit," it said, "of these distinguished guests...from another section of our confederacy...will no doubt result in strengthening the bonds of Union....We hope our distinguished visitors may return to their...legislative halls with a far different feeling toward our people...than have [*sic*] been expressed in their press and by their citizens at large."[50]

"The occasion is a social one," said the *Ohio State Journal.* The affair expressed the "fraternal sentiments of...Ohio toward the people of those states....The great interest of three States are [*sic*] almost identical." There was no reason why the territorial issue should affect their happy relations. "We people of the three states are connected by ties that defy all sectional lines." The dignity of the editorial page stood in startling contrast to the news columns which carried the caption, "The Big Legislative Blow Out."[51] The person responsible for that probably had had advance information of the real nature of the evening's entertainment.

The Memphis *Weekly Appeal* would have been more impressed by the events in Ohio if the same spirit of friendship were displayed in the "resolves and enactments touching the peculiar institution of

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47 Nashville *Daily Gazette,* January 31, 1860.
48 Toledo *Blade,* January 28, 1860.
49 Cleveland *Herald,* January 27, 1860. Among those present at Columbus was ex-Governor Salmon P. Chase, whose moderate and graceful speech apparently did nothing to endanger his chances of election by the Ohio legislature to the United States Senate a few days later. See New York *Tribune,* February 4, 1860, and *Press* (Philadelphia), February 1, 1860.
50 Columbus *Gazette,* January 27, 1860.
51 *Ohio State Journal,* January 26, 1860.

the South." Such would be a bit more substantial than parades, banquets, and handshaking, thought the *Appeal*. "If they would only entertain our people at large—not with empty demonstration, but with Justice and good will—we might draw a more wholesome moral from the excursion....In view of all the circumstances, we decline to preach a Union sermon on the occasion."[52]

The Toledo *Blade* believed impetus had been given a movement that would "sweep over the land and drive from its face every disunionist of the South and every fanatic of the North." The Great West had echoed in thundering terms, "The Union—it must and shall be preserved!"[53] A writer in the Cleveland *Herald* hoped the legislators would carry home some new and valuable ideas of Ohio Republicanism.[54]

The excursionists left Columbus on the morning of the twenty-seventh. After stopping in Dayton long enough to dispose of another banquet they reached Cincinnati in mid-afternoon. There they were met by a crowd estimated at 25,000. It was claimed that the entire populace of 250,000 turned out to witness the procession through the streets. The hospitality of the city was tendered and was taken. Hotel bills and local railway fares were ignored by common consent. A round of opera and banquets awaited the visitors.[55] Cincinnati had responded nobly to the cause of the Union. The business men of the city subscribed several thousand dollars and on the twenty-seventh declared a holiday. The streets and prominent buildings were handsomely decorated with flags and evergreen. "Fifty thousand flags," eloquently testified one paper, "were fluttering in the crisp, wintry breeze....Men in martial array were...hurrying to and fro; the national colors were flying from the roof of every railroad car, omnibus and carriage, and the head of every horse in the city....Patriotic words of welcome...stretched from house to house, and...the principal avenues were crowded with thousands of people wearing their best attire and most cheerful smiles....Busts of great men [as] Clay and Jackson were in evidence." Guns were fired and martial music was heard. The weather turned "instantly warmer," and the sun, long hidden, burst "forth in all its splendor."[56]

The banquet at the Burnet House caused greatest "commotion." Over a thousand were in attendance. As was "customary on such

52 Memphis *Weekly Appeal*, February 1, 1860.
53 Toledo *Blade*, January 27, 1860.
54 Cleveland *Herald*, January 29, 1860.
55 Nashville *Daily Gazette*, January 31, 1860.
56 Cincinnati *Enquirer*, in Memphis *Weekly Appeal*, February 1, 1860.

occasions, there was a large amount of eating, little more drinking and equally as much speaking." Just before midnight the celebrants adjourned to the home of Nicholas Longworth, "where Catawba wine flowed freely."[57]

The State of New York took official notice of the demonstrations in the West. Governor Edwin D. Morgan, in behalf of the legislature, telegraphed the legislators of Tennessee, Kentucky, and Ohio an invitation to visit Albany, where the New York legislature was then in session. The invitation was enthusiastically received, but no action was taken toward acceptance.[58]

The excursionists left Cincinnati on the twenty-eighth, the Kentuckians going to Frankfort, and the Tennesseans to Lousiville and thence to Nashville.[59] The Tennessee legislature was in session on the thirtieth,[60] and if a single member was any the worse for wear it was not reported by the press.

The press of the nation, reluctant to see the end of an affair that had been such a rich news source, continued to comment editorially. The Indianapolis *Journal* openly accused Cincinnati of making a play for Southern trade, a charge that Cincinnati did not trouble to deny.[61] Indeed, it was a charge that could hardly be denied with grace. The Cincinnati *Enquirer* said it was an event of national importance such as had never before occurred in the history of the country. The *Enquirer* believed the meeting would have a healthful influence on the public mind. "The same flag is the aegis of protection to all." Kentucky and Tennessee, said the *Enquirer*, would join Ohio in looking forward to a "brilliant future in that Union which is the result of common labor and exertion."[62] The Toledo *Blade* recognized there was "a great deal of humbug and claptrap about these official parades and declarations on patriotism," but believed the excursion would have the effect of minimizing the sectional antagonism that was largely the result of a lack of understanding between the sections.[63] One would suppose, said the *National Intelligencer* of Washington, that there had never been any cause for dissension among the states.[64]

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57 "J.T.B." to Nashville *Daily Gazette*, January 30, 1860.
58 New York *Tribune*, January 30, 1860; Nashville *Patriot*, February 2, 1860.
59 New York *Tribune*, January 30, 1860.
60 Nashville *Daily Gazette*, January 31, 1860.
61 Cincinnati *Commercial*, January 28, 1860.
62 Memphis *Weekly Appeal*, February 1, 1860.
63 Toledo *Blade*, January 30, 1860.
64 *National Intelligencer* (Washington), February 4, 1860.

In the absence of a chamber of commerce, the Nashville papers functioned admirably. The *Patriot,* for example, called upon the city to emulate Cincinnati's spirit of progress. Railroads would make Nashville a commercial rival of "the Queen City." The excursions had given an impetus to business which otherwise would have been attained only "after years of steady labor."[65] The *Patriot* overlooked the sad truth that "years of steady labor" would be necessary to remove that portion of the public debt which the Louisville and Nashville Railroad had imposed on the taxpayers of Tennessee and Kentucky.

The pro-Union Louisville *Daily Journal* trusted that "the intimacies formed will...ripen into friendships of the most enduring character."[66] The Louisville *Democrat* snorted at the whole affair. "The Union is out of danger," it comforted the anxious. "Several hundred doctors have consulted upon it and it was resolved the Union is saved. How easy the thing was accomplished....Our guests arrived, some with and some without wedding garments, an army of hungry and thirsty souls....In the evening, those who possessed them, having put on clean shirts, went to the banquet....The Union is saved, disunion is killed, not scotched, and...Stephen A. Douglas will be the next president of the United States."[67] At least the *Democrat* had waited until the army of one-time hungry and thirsty souls had returned home before exhibiting this unusual bit of Kentucky hospitality.

The *Republican Banner* of Nashville said the excursions should serve "to undeceive the people of this state...that there is no ground for irreconcilable hostility between them and...the North....The masses...are true to the Constitution." It was the "political tricksters" with their "angry denunciations" that were responsible for the hapless state of the Union.[68] In that day, too, it was customary to blame the politicians. Congress was nothing if not long-suffering. Yet no doubt the national situation would have been eased if the politicians could have been muzzled.

There was an amazing lack of originality in press comments. With only an occasional refreshing exception, the editorial chair gave its rumbling approval. The St. Louis *Republican* said the demonstration "shows the good will and desire for Union which warms

65 Nashville *Patriot,* January 31, 1860.
66 Louisville *Daily Journal,* January 30, 1860.
67 Louisville *Democrat,* January 31, 1860.
68 *Republican Banner* (Nashville), February 3, 1860.

the hearts of nearly the whole people. . . . It was a . . . fertile thought . . . which suggested the excursion. . . . Such demonstrations . . . shall have a certain moral effect . . . at Washington. They . . . carry rebuke to the members . . . [of] both the House and Senate."[69]

The *Press* of Philadelphia rebuked the South Carolina radicals by drawing their attention to the attitude of Tennessee and Kentucky and to those states' part in the Union demonstrations.[70] It is worthy of note that the *Southern Recorder,* of Milledgeville, Georgia, one of the most influential journals in the cotton belt, failed to mention the excursions or the Union demonstrations.

The *National Intelligencer* took further notice, this time editorially. "Amidst the unhappy turmoil," said the *Intelligencer,* "we know of scarcely any circumstance better calculated to give ground for new . . . hope for the speedy subsidence of agitation . . . throughout the Confederacy than the social intermingling" of the representatives of the various states. "This interchange of friendly feeling . . . is calculated to do much to promote national harmony and to draw closer the ties that link us in a common Union."[71] Other papers than the *Intelligencer* likewise used the term "Confederacy" when referring to the Federal Union. They may have been tossing a sop to the doctrinaires of the lower South, or, and what is more likely, they may have been determined not to yield the point that there was a slight difference betwen the terms used to indicate the national state and that it made a world of difference which one indicated its real nature.

In Tennessee there was indeed a voice of derision, this from Parson W. G. Brownlow's Knoxville *Whig,* which called the junket "The Legislative Spree." The legislators, said the Parson,

> proceeded to Columbus, Ohio, . . . where by invitation, they were to partake of Loco-Foco and Black Republican hospitalities. From Columbus they came on to Cincinnati where they had another grand frolic, and a big drunk, popping champagne, and knocking Pike's Whiskey cold. Our latest advices are to the effect, that the Tennesseans had been invited to Indianapolis to drink Western Whiskey with the Indiana Legislature, and it was thought they would go! . . . They ought to resolve themselves into a Com-

[69] Cincinnati *Commercial,* February 1, 1860.
[70] *Press* (Philadelphia), January 31, February 7, 1860.
[71] *National Intelligencer* (Washington), January 30, 1860.

> mittee of the Whole, and proceed to Kansas and *drink out* that territory as a means of restoring order in that distracted region....The opposition members did right in going with them and keeping watch over them lest they sell the State to the Black Republicans.[72]

The Parson was, of course, an extremist, but at least his attitude was vigorous and typical of his East Tennessee. Or perhaps he made a correct analysis of the whole affair.

The legislature in Nashville occupied some time in passing resolutions relative to the excursion. The speaker of the Senate, Lieutenant-Governor T. W. Newman, was presented with a magnificent cane upon whose massive gold head was inscribed appropriate sentiments for his "gallantry" on the trip.[73] A memorial from the citizens of Hamilton, Ohio, deploring the fact that the excursion train did not stop at that city was respectfully received. Resolutions of gratitude to the states of Kentucky and Ohio, and to the cities of Louisville, Cincinnati, and Columbus were passed. Captain Shirley of the steamer *Jacob Strader*, officials of the Louisville and Nashville Railroad and of the Little Miami Railroad, and Nicholas Longworth were thanked for their kindness and hospitality.[74]

Although it cannot be definitely proved, there is room to suspect that the Louisville and Nashville Railroad conceived the first excursion as a promotional scheme, this, in turn, giving impetus to the others. Possibly the railroad was that far-sighted. But whatever may have been the origins of the excursions, there is ample reason to believe, even aside from the ballyhoo, that a large portion of the people of Tennessee and of the other border states were, after all, desirous of maintaining the Union. How its dissolution, as far as Tennessee was concerned, was effected is, however, another story.

There was an epilogue. It was Senator Payne of "Bunker Hill" fame who headed the joint committee that presented to the people of Tennessee a memorial praising the Confederate States of America.[75] It was Colonel Newman who was authorized to negotiate with the Confederate government for the arming of a Tennessee regiment,

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72 Knoxville *Whig*, February 4, 1860.
73 Knoxville *Register*, February 9, 1860.
74 Copies of papers of Governor Isham G. Harris, in possession of Dr. R. H. White of Nashville.
75 *Senate Journal, Thirty-Third General Assembly of Tennessee, Second Extraordinary Session* (Nashville, 1861), 83-90.

this while Tennessee was still one of the United States.[76] On May 1, 1861, Newman resigned and joined the Confederate army.[77] Five days later, Senator Payne moved that the Senate concur with the House resolution calling a secession convention.[78]

By far the great majority of the newspapers which so valiantly carried editorials attesting the Union's permanence were within a year condemning the neighbors whom so recently they had verbally clasped in fraternal embrace. Oddly enough, some papers, like Brownlow's *Whig*, which had condemned the futile legislative junket, stood by the Union.

Tennessee seceded from the Union, from that federal Union which Tennessee's "patriot-hero" had said must be preserved. Even Kentucky wavered when pressed for a decision. It would take more than the Louisville and Nashville Railroad to save the Union, more than patriotic speeches and reassuring editorials, more even than Nicholas Longworth's sparkling Catawba. It would take force of arms.

[76] *Ibid.*, 32.
[77] *Ibid.*, 36.
[78] *Ibid.*, 60, 61.

# THE CINCINNATI SOUTHERN RAILWAY: A MUNICIPAL ENTERPRISE*

By R. O. Biggs

East Tennessee today enjoys excellent railroad facilities, for which it is largely indebted to promoters of the pre-Civil War period. Many railroad enterprises were undertaken in order to relieve that section from the handicap of inadequate transportation. Of these, only two realized their respective goals before the advent of the Civil War. The East Tennessee and Georgia (originally chartered as the Hiwassee Railroad) effected transportation between Chattanooga and Knoxville.[1] Simultaneously, there reached fruition a sister project, the East Tennessee and Virginia Railroad, which formed a connection between Bristol and Knoxville. Completed during the 1850's, these roads at their termini formed connections with other lines, making possible continuous railroad communication with the leading cities of the South and East.

Meanwhile, efforts to establish communication by rail to the north and south met with less success. During the 1830's East Tennessee was aroused by a gigantic plan to build a railroad connecting the Ohio River with Charleston, South Carolina. Although this enterprise—the Louisville, Cincinnati and Charleston Railroad—was not consummated, due principally to the panic of 1837, all hope was not abandoned. During the decade preceding the war separate charters were granted a number of companies which, if successful, would establish communication by rail between Cincinnati and Charleston. In East Tennessee the Knoxville and Charleston Railroad Company was incorporated to build a railroad up the Little Tennessee River Valley to the state line. Likewise, the Knoxville and Kentucky was chartered to build a line of road from Knoxville to the Kentucky line. Comparatively little work, however, was done on these two roads before the conflict between the states arrested activity. Shortly after the war work was resumed by means of gen-

* Read before the East Tennessee Historical Society at a meeting held in Knoxville, December 7, 1934.

[1] The original line ran from Dalton, Georgia, to Knoxville, but a junction line from Chattanooga to Cleveland was completed in 1858.

erous state aid. Both companies, nevertheless, became hopelessly bankrupt and direct railroad communication between Cincinnati and the south Atlantic was still unrealized.

Following the failure of the Louisville, Cincinnati and Charleston project, in which the city of Cincinnati had been vitally interested, that municipality turned its attention to the north and east, leaving its southern trade to be carried on in its customary channels—down the Ohio and Mississippi rivers. By 1852, Cincinnati had secured railroad connection with the East and was benefitting by the railway developments of the Middle West.[2] Valuable as these connections were, they did not satisfy the needs of merchants and manufacturers of the "Queen City."

At an early date Cincinnati learned that her commercial destiny depended upon southern markets. No section of the nation was in greater need of merchandise, such as agricultural implements, clothing, pork, and grain, than the southeastern cotton belt. Nor was any city more desirous of, or better equipped for, furnishing these commodities than Cincinnati.

In the marketing of these goods, however, certain difficulties presented themselves to the Ohio merchants. Strong competition was offered by St. Louis and Louisville, both of which were less remote from southern markets than Cincinnati. Furthermore, obstructions in the Ohio River at Louisville prevented the passage of large boats until the Louisvillians made circumnavigation of the shoals possible by excavating a channel. This, however, proved of no great advantage; Cincinnati merchants now protested against paying discriminatory tolls.[3]

During the 1850's there seemed some likelihood that Cincinnati would be delivered from the obstacles, both natural and artificial, encountered at Louisville by means of a direct railroad connection with the South. By 1854, the Kentucky Central was in operation from Lexington to Covington, which is on the south bank of the Ohio, opposite Cincinnati.[4] By 1856, the Lexington and Danville company had extended the existing communication thirteen miles farther south to the town of Nicholasville.[5] Unable to make further

[2] Ellis Merton Coulter, *The Cincinnati Southern Railroad and the Struggle for Southern Commerce,* 1865-1872 (Chicago, 1922), 21.
[3] *Ibid.,* 20-22.
[4] *Ibid.*
[5] Fairfax Harrison, *A History of the Legal Development of the Railroad System of Southern Railway Company* (Washington, 1901), 970.

progress, the officials of this company, in 1859, appealed to Cincinnati for financial aid. They proposed to extend their road to the Tennessee line, provided they were guaranteed the sum of $1,000,000. Cincinnati accepted the proposition and set about to secure that amount by popular subscription. More than half the sum was pledged, then interest subsided, and the Civil War put an end to the negotiations.[6]

In the meantime, Louisville had had better success than its rival in reaching the south. In 1859, the Louisville and Nashville was opened to traffic, thereby establishing communication by rail between those two cities.[7] Tennessee's capital city already had railroad connections with the south Atlantic seaboard. Thus Louisville had a decided advantage over its greatest competitor, and this advantage was relatively enhanced by the war. Louisville's gain was Cincinnati's loss. The Ohio metropolis suffered greatly during the hostilities between the states owing to the enforced paralysis of her southern trade. Even had the contending governments not interfered with trade between the belligerents, southern merchants and planters would have been little inclined to buy northern goods.

Although Cincinnati succeeded in combatting the hostile sentiment created by the war, the big problem was to break the stranglehold that Louisville had on its rival's commerce. Already the idea of a direct railroad with the South, as the only means of regaining her commercial supremacy, was predominant in Cincinnati. In the meantime, the city had, in any event, to send its goods through Louisville. Though there was a railroad to the north of the Ohio, which, in a circuitous way, connected the two competing cities, there was no bridge across the Ohio at Louisville until 1870.[8] Hence, southern consignments continued to be sent down the river to Louisville and transferred to trains which must pass through Nashville enroute to Chattanooga—the cross-roads of the South. The merchants of the "Queen City" constantly complained that their merchandise was delayed at Louisville out of malicious spite. To remedy this evil an agent was maintained at the Kentucky metropolis to expedite shipments.[9] Furthermore, the policy of rate discrimination employed by the Louisville and Nashville was atrocious. The

[6] J. H. Hollander, *The Cincinnati Southern Railway, A Study in Municipal Activity*, in Johns Hopkins University *Studies in Historical and Political Science*, XII (Baltimore, 1894), 14.
[7] *Ibid.*
[8] Coulter, *op. cit.*, 22.
[9] Hollander, *op. cit.*, 16-17.

rate for Cincinnati's products was generally determined by adding to the regular rate the costs of transportation by river from the "Queen City."[10] Thus it was imperative to establish direct communication with the South if Cincinnati wished to preserve her position as the "Queen City of the West."

In an effort to secure a more desirable outlet to the south Atlantic, the various civic organizations of Cincinnati devoted considerable time and energy to the problem. On April 19, 1866, a large number of men assembled in the Chamber of Commerce Hall to hear a committee report on the ways and means of building a railroad to connect with some southern system of roads. After the meeting was called to order the report was read. The necessity of extending railroad communication from Nicholasville, through Danville, to intersect the East Tennessee and Georgia at Knoxville or Chattanooga was stressed. In order to aid in obtaining donations for the extension of the Lexington and Danville road, the committee had prepared a form which read as follows:

> The undersigned citizens of Cincinnati hereby agree to donate and pay to...trustees for any party or company which may be duly and legally authorized by the laws of Kentucky and Tennessee to construct said road, the sum of money set against our respective names, to aid in construction of said road, said amount to be paid upon the completion of said road so far as to allow the passage of locomotive and train of cars over its whole line....

Contributors reserved the right of subscribing to stock to an amount equal to the donation. The report of the committee was unanimously accepted by this unofficial, but interested, group of Cincinnati citizens.

Judge Stanley Matthews was then called on to address the assemblage. In a long and eloquent speech the judge spoke of the necessity of the road to heal the breach between the North and the South. He pointed out the advantage already gained by Cincinnati's existing connections and visualized the magnificent results the proposed road would produce. He appealed to the citizens to grasp the opportunity before the rival communities, Louisville and St. Louis, should do so. The judge closed his speech by reading a letter from S. S. L'Hommidieu, a prominent railroad official, who

[10] Coulter, *op. cit.*, 12.

was unable to attend the meeting, but who subscribed $5,000 and promised to help secure $200,000 through his influence with railroad companies.

At this point there was a sudden rush by those present to subscribe. Seventeen individual pledges alone totaled $117,500. The amount subscribed and promised by railroad companies reached the staggering figure of $1,317,500. After a committee was appointed to secure further subscriptions the meeting adjourned.[11]

A few days later still more generosity was revealed. A certain Mr. Sinton of the Lexington and Danville proposed to sell that road to any corporation which might be organized to complete the proposed railroad from the Ohio River to Tennessee. He would have his road appraised by competent engineers and then sell it for half the value so determined.[12]

Although these efforts, like previous ones, failed of success, they stimulated activity in East Tennessee and also developed considerable interest in Cincinnati. Knoxvillians hoped to secure direct communication with the "Queen City" over the Knoxville and Kentucky road. Chattanoogans likewise aspired to obtain direct access to Cincinnati. To that end the Chattanooga and Kentucky railroad was chartered on May 25, 1866. The company was capitalized at $3,000,000.[13] By September, a route had been surveyed from Chattanooga to Big Emory River, where surveying parties representing Cincinnati were met. This survey, though conducted by Colonel William B. Gaw, civil engineer of the Chattanooga and Kentucky, seems to have been sponsored by the Cincinnatians.[14] That there were serious intentions of building the Chattanooga and Kentucky is doubtful. It is certain, however, that little was done before the Cincinnati Southern was undertaken in earnest. Evidence of this is found in the chartering, in February, 1869, of the Chattanooga and Cincinnati railroad, which was authorized to build along practically the same route.[15] Both of these enterprises were short-lived.

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11 *Nashville Republican Banner,* April 21, 1866, quoting *Cincinnati Commercial,* April 20, 1866.

12 *Ibid.,* April 28, 1866, quoting *Cincinnati Commercial.*

13 *Acts of the State of Tennessee, passed at the second session of the Thirty-fourth General Assembly for the year* 1865-66, (Nashville, 1866) 69-70. Future references to *Acts* are to those of the Tennessee legislature.

14 *Nashville Republican Banner,* September 28, 1866, quoting *American Union* (Chattanooga), September 27, 1866.

15 *Acts,* 1868-69, pp. 664-665.

Private capital was ineffective without direct aid from the city of Cincinnati. Such aid was rendered impossible by a provision of the Ohio constitution which expressly prohibited the legislature from authorizing any county, city, or township to extend its credit to, or become a stockholder in, any company, corporation, or association.[16] Thus the city seemed unable to secure railroad facilities by any means. In 1868, however, Edward A. Ferguson, an outstanding Cincinnati lawyer, suggested that *the city could finance and build a railroad if no private company or corporation were involved* in the project.[17] Ferguson incorporated his suggestion in a legislative bill which ultimately made the Cincinnati Southern Railway a reality. Since another clause in the state constitution seemed to prohibit private or special legislation, Ferguson worded his bill so that it would be considered as general legislation, though it could apply to no city other than Cincinnati. The provisions were clear and definite. Whenever a city of the first class (having 150,000 inhabitants—Cincinnati being the only such city in Ohio) should, by act of its municipal council, pass a resolution declaring it essential to its interests that a railroad be built with one terminus in that city, and, when that action should be ratified by a majority of the voters in a special election, the superior court of that city should appoint a board of trustees, holding office during good behavior, to carry out the object of the resolution. The bill, moreover, provided the trustees with all powers necessary to effect the completion of the road.[18]

Ferguson released his bill to the press in November, 1868, and it was enthusiastically acclaimed. It was introduced in the Ohio legislature as soon as that body convened and passed both houses with decisive majorities. It became a law on May 4, 1869. The legislature set the sum of $10,000,000 as the maximum amount of municipal bonds to be issued and fixed the interest rate at 7.3 per cent.[19] Thus Cincinnati was empowered to build for itself the Cincinnati Southern Railway.

Following the passage of the Ferguson act, the next question to be settled by the citizenry of Cincinnati was the selection of a southern terminus for the proposed road. In order to determine the relative merits of a number of possible terminal points the

[16] Hollander, *op. cit.*, 12.
[17] *Ibid.*, 20.
[18] *Ibid.*, 20-21.
[19] *Ibid.*, 22-23.

Cincinnatians gave audience to a large number of delegates from the South, who wished to present claims for the terminus or a connection with it. The strong and forceful arguments presented by the various delegations during the month of May, 1869, better enabled the "Queen City of the West" to choose that terminal point which would offer the greatest advantages.

Another problem of great importance was the stimulation of public sentiment into active and popular support of the undertaking. The presence in Cincinnati of large groups of railroad enthusiasts constantly advocating railway connections incited the natives to thinking about the proposed enterprise and tended to create confidence in it. Ratification, therefore, seemed assured.

Preparatory to sending delegates to Cincinnati, rallies were held in cities and towns to the south of the Ohio, chiefly in Tennessee, South Carolina, and Georgia. A typical meeting of this nature was held in Clinton, Tennessee, on the day that the Ferguson act became a law. Representatives from Anderson, Campbell, and Knox counties voiced their sentiments in resolutions which recited the advantages offered Cincinnati by the Knoxville route. Among other things it was pointed out:

> That our inexaustible [*sic*] mines of iron and coal, situated side by side; our millions of acres of forests that have never heard the sound of the woodman's axe; our thousands of cheap, healthful and inviting homesteads—all situated on the line of said Knoxville and Kentucky Railroad, and chequered with hundreds of mill streams—only await the sound of the steam whistle to call forth their treasures, and will furnish said railroad with an extraordinary local freight, and will furnish Cincinnati with cheap coal, iron, leather, wood, etc.

The resolutions were ordered to be printed in the Knoxville and Cincinnati newspapers, and twenty-nine delegates were named to represent in Cincinnati the three counties mentioned above. Such outstanding names appear in the list as L. C. Houk, W. G. Brownlow, O. P. Temple, Adrian Terry, C. W. Jones, M. D. Bearden, R. C. Jackson, C. M. McGhee, and Joseph A. Mabry.[20]

To the Cincinnatians there were four possible routes worthy of consideration. (1) The Cumberland Gap route was too far to the

[20] *Knoxville Whig,* May 8, 1869. Referred to hereafter as *Whig.*

east and had so little inducement to offer that it was, comparatively speaking, little considered. (2) The Knoxville route was the shortest and in many ways the most practicable. (3) The Chattanooga route was the longest of the four and traversed a much rougher region than either of the others, but superior railroad connections could be made at that city. (4) The Nashville route was too far to the west to serve adequately Cincinnati's needs. Nevertheless, the Nashvillians were persistent. They argued that it was foolish to consider a north and south route since trade did not naturally flow in these directions and could not easily be diverted from its accustomed channels. They further pointed out that the Louisville and Nashville Railroad could not care for existing demands of business, this leaving a comfortable residue of freight for such a road as that desired from the "Queen City."[21] In spite of these arguments Nashville, too, was early eliminated from the struggle and Knoxville and Chattanooga, backed by their satellites from South Carolina and Georgia respectively, had the field to themselves.

At this point it is well to explain the nature of the proceedings that took place in Cincinnati following the arrival of the southern delegates. Strictly speaking, the meetings were more or less of an educational program sponsored by the various civic organizations, but for want of a better word they will be referred to as a "convention." For two weeks after the Ferguson act became a law small groups from the South continued to arrive in the Ohio city and to present their respective arguments before the press and any audience that was willing to listen to them. The first general meeting at which a large number of speakers appeared, representing the different routes, was held on May 8.[22] Apparently, at the next general meeting, held one week later, a joint committee was appointed, consisting of members of the city council, the board of trade, and the chamber of commerce. It was before this committee, which was to decide on the southern terminus, that the various groups presented their further arguments.[23]

A number of outstanding men appeared on the programs of the convention. Among those from South Carolina who made speeches

[21] Coulter, *op. cit.*, 35-36. One of the Nashville arguments appears rather inconsistent. If trade did not naturally flow north and south, why had the Louisville and Nashville Railroad been built in that direction? No contemporary seems to have called attention to this point.

[22] *Whig*, May 13, 1869.

[23] *Ibid.*, May 18, 1869.

were Governor Robert K. Scott, General J. W. Harrison, president, and Colonel J. P. Lowe, engineer, of the Blue Ridge Railroad, and J. B. Laffitte of Charleston. Georgia was represented by addresses from Governor Rufus Brown Bullock and Colonel Hulbert, superintendent of the Western and Atlantic. Speakers from Kentucky were Dr. Haggard of Louisville, C. S. Hill of Lebanon, Dr. Taylor of Somerset, and Judge Durham. Those delegates from Knoxville who spoke before the convention were Mayor M. D. Bearden, president of the Knoxville and Charleston, J. W. Ramage, editor, and C. M. McGhee, Adrian Terry, and John H. Crozier, prominent railroad officials. The outstanding speakers from Chattanooga were W. A. Gunn, who was later employed as engineer for the Cincinnati Southern, and Colonel W. B. Gaw, also a prominent engineer. These two latter and two men from the Knoxville delegation, John H. Crozier and Adrian Terry, appeared repeatedly on the programs of the convention.[24]

From the outset of the convention two combinations of delegates presented united fronts. In these combinations the leads were taken by Knoxville and Chattanooga representatives. The former worked in collaboration with the South Carolina delegates, who were seeking to promote the welfare of the Blue Ridge Railroad, which embraced the Knoxville and Charleston. The latter were supported by the Georgians, who were particularly interested in the Western and Atlantic—a state owned road which connected Chattanooga with Atlanta. As the convention progressed, the two cities on the banks of the Tennessee became increasingly involved in the struggle, largely to the exclusion of the others.

At this point it may be well to summarize the arguments presented by the two contending forces. The Knoxville delegation presented many and divers facts, or at least what were paraded as facts. (1) The Cincinnatians were reminded of the Louisville, Cincinnati and Charleston project which definitely included Knoxville on its route.[25] (2) Knoxville was the key to Virginia and the Carolinas.[26] (3) The Knoxville and Kentucky could be utilized, thereby effecting economies in time and money. It was also made to appear that the Knoxville and Charleston and the Cincinnati,

[24] *Ibid.*, May 13, 18, 21, 1869; *Knoxville Press and Herald*, May 19, 1869; *Whig*, May 20, 1869, quoting *Cincinnati Gazette*, May 17, 1869. Forenames or initials are omitted only in those cases where they are not recorded in the sources used.

[25] *Whig*, May 20, 1869, quoting *Cincinnati Gazette*, May 17, 1869.

[26] *Ibid.*, May 20, 1869.

Cumberland Gap and Charleston were certain of early completion and of connections with other roads at the state line.[27] (4) The community in question was much nearer than its rival to Cincinnati, and the completion of the above roads would give the "Queen City" a much shorter connection with the south Atlantic than could be had over any other route.[28] (5) The topography of the route to Knoxville was much less forbidding than that of the Chattanooga route.[29] (6) It was pointed out that any connections that could be made at Chattanooga could also be made at Knoxville.[30] (7) Should Cincinnati choose Chattanooga as the terminus, Louisville would be sure to avail itself of the opportunities afforded by Knoxville.[31]

On the other hand, Colonel Gaw and Mr. Gunn pointed out in a less boisterous way the advantages of Chattanooga as the terminus. It is to be regretted that no Chattanooga newspapers dealing with the convention are locally available. Among the known arguments, however, three are noteworthy. (1) The route between Cincinnati and Chattanooga was really more inviting than it was made to appear by the Knoxvillians. The truth of this, they claimed, had been made known to the Cincinnatians by earlier surveys.[32] (2) The "Look-Out City" had *actual* rather than *contemplated* connections with the south Atlantic.[33] (3) Consolidations, if desired, could be effected at Chattanooga.[34]

There was, it would seem, no formal adjournment of the convention. After the first few spasmodic efforts by the various groups,

[27] *Ibid.*, May 13, 1869.
[28] *Ibid.*, May 20, 1869, quoting the *Cincinnati Gazette*, May 17, 1869.
[29] *Ibid.*, May 21, 1869.
[30] *Ibid.*, May 20, 1869, quoting *Cincinnati Gazette*, May 17, 1869.
[31] *Ibid.*, May 21, 1869.
[32] *Ibid.*, May 13, 1869.
[33] *Ibid.*, May 13, 1869.
[34] *Ibid.*, May 13, 1869. Out of the convention grew an intensive rivalry between Chattanooga and Knoxville. The bitter contest at Cincinnati was reflected in an editorial duel between the *Chattanooga Republican* and the *Knoxville Whig*. The latter paper, on May 14, 1869, quoted from the *Republican* this very lofty tribute to Knoxville: "We are in favor of doing just by Knoxville, and of granting her reasonable assistance in maintaining herself among the thriving country villages of the state, but if she must be subsized [*sic*] to the extent of a million or two annually in order that she may become a city, *we think it better that she should be permitted to deteriorate into the summer resort for which she was evidently destined by nature.*" To this the *Whig* made the following retort: "But for what was Chattanooga evidently destined by nature? How many feet under water was she a year or two ago? Ten? How extensive did the water spread? Ten miles? A tunnel five or ten miles long would have to be constructed to insure a dry passage over it in event of a large freshet."

many of the delegates returned home. The joint committee continued throughout the month to listen to the arguments of the chief contending forces.[35] Being thus fortified with an abundance of facts and figures, the committee occupied a few days in condensing and contemplating the evidence. On June 4, the committee met to take its decision. The first ballot ended in a tie, but the second resulted in the choice of Chattanooga as the southern terminus for Cincinnati's proposed road.[36] Although Knoxville lost the decision, that city then hoped that the road might be routed by Knoxville, or, that failing, the idea was cherished that such a connection might be made with the Cincinnati road as to enable Knoxville to tap the trade of the "Queen City" long before the road would be completed to Chattanooga.[37]

There were several reasons why Chattanooga was chosen as the terminus. (1) Superior connections could be made at that point. (2) The Knoxville and Kentucky and the Knoxville and Charleston railroads were involved in a financial imbroglio with the state. (3) Much northbound traffic could be diverted from Louisville to Cincinnati. (4) Louisville had supported the claims of Knoxville [38] and Cincinnati desired to do nothing to satisfy the wishes of Louisville. (5) In the final stages of the convention the Alabama and Chattanooga Railroad Company proposed to build a road across Tennessee to meet the Cincinnati Southern at the state line of Kentucky.[39] This offer, though it was never consummated, created considerable excitement in Cincinnati and probably turned the tide in favor of Chattanoooga.

The presence in Cincinnati of large delegations of railroad enthusiasts had incited great activity. Full accounts of the meetings of the convention as well as considerable supplementary information and editorial comment were passed on to the general public by the various newspapers of the city. Consequently, the proposed southern road seems to have been the chief subject of conversation throughout the municipality. Amid the general excitement came the report of the joint committee chosen to select the southern terminus. Thus the preliminary activities were concluded.

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35 *Whig,* May 29, 1869; *Knoxville Press and Messenger,* May 26, 1869.
36 *Whig,* June 5, 1869.
37 *Ibid.,* June 6, 12, 1869.
38 Coulter, *op. cit.,* 35-36.
39 *Whig,* May 29, 1869; *Press and Messenger,* June 3, 1869.

Feeling that public opinion warranted action, the city council met, officially declared the proposed railway a necessity, and, as required by the Ferguson act, provided for a general referendum on this declaration. In order to insure a large vote the mayor ordered all business houses throughout the city to suspend activity long enough for the employees to vote. On election day, June 26, 1869, nine bands paraded the streets.[40] When the ballots had been counted, it was revealed that the voters of Cincinnati had endorsed the action of the city council by an overwhelming majority. The vote favoring the railroad was 15,435, while only 1,500 votes had been cast against the proposition.[41]

Just four days after the election, the superior court of Cincinnati carried out the third provision of the Ferguson act by naming five directors. Those appointed were E. A. Ferguson, ex-state senator and author of the act bearing his name, Richard M. Bishop, ex-mayor of Cincinnati and later governor of Ohio, Miles Greenwood, William Hooper and Philip Heidelback. Though none of the men selected had had experience in railroad construction, they were, nevertheless, citizens of varied and excellent abilities.[42]

The board of trustees went speedily about its task. By August an engineering department had been organized and two groups of engineers sent out to conduct preliminary surveys. Directness of route was to receive primary consideration, subject, of course, to topography. Inducements that might be offered by counties and landowners were not to be overlooked, however. This preliminary work was financed by funds from the city treasury pending the negotiation of the bonds provided for by the enabling act.[43]

One of the first major tasks to face the trustees was the securing of a right of way through the states of Tennessee and Kentucky. Some difficulty in obtaining the desired legislation in the latter state was anticipated; so, expediently, the trustees turned their attention first to Tennessee. Late in 1869, application was made to the General Assembly for a right of way. Legislation favorable to the application was thereupon introduced. Unexpected opposition appeared, however, voiced by John M. Fleming of Knoxville, chairman of the House judiciary committee, to which the bill had been referred. In a lengthy speech against the passage of the bill, Flem-

[40] Coulter, *op. cit.*, 34.
[41] Hollander, *op. cit.*, 24.
[42] *Ibid.*
[43] *Ibid.*, 25.

ing pointed out three objectionable features: (1) such an extensive grant of power was unwarranted by the constitution; (2) the state's interests were not properly safeguarded; and (3) the state legislature was being asked to pass a bill submitted to it by a foreign corporation. The real opposition to Tennessee's granting a right of way was not technical but personal. Since both Knoxville and Nashville had been unsuccessful in their attempts to secure the terminus of Cincinnati's road, the legislators from in and near those communities opposed the bill.[44]

In spite of the opposition the bill became a law on January 20, 1870. It recited certain provisions of the Ferguson act and named the trustees selected by the superior court of Cincinnati. These trustees were empowered to extend their road, with all usual appendages, including a line of telegraph, through the state to Chattanooga; to acquire land by purchase or gift; to exercise eminent domain; and to issue bonds. Certain restrictions designed to protect Tennesseans, however, were imposed. Maximum rates were fixed at five cents per mile for passengers and thirty-five cents per hundred pounds for freight. Futhermore, Tennesseans should never be discriminated against in any way. Finally, it was provided that the state should not extend financial aid to the Cincinnati project.[45]

Meanwhile, on January 7, 1870, a bill for a right of way was presented in the Kentucky legislature. Having anticipated difficulty in the "Blue Grass state," the trustees had voted Miles Greenwood, their president, $20,000 for lobbying purposes. A part of that sum was used to employ John C. Breckenridge to advocate the measure. In opposition to the bill, the dominating influence of Louisville and of the Louisville and Nashville Railroad Company was in great evidence. In Kentucky, as well as in Tennessee, constitutional scruples were thrust forward to cloak objections founded upon stark jealousy. Almost every known device for influencing legislators was employed, including banquets, wine, and excursions. When it was voted on in March, the opposition was so powerful that the bill was defeated by decided majorities in both houses.[46]

In spite of this first set-back, the bill was reintroduced on the second day that the new legislature convened (January 5, 1871). The trustees were now ably assisted by citizens of central Kentucky, who felt, reasonably enough, that they had been betrayed by Louis-

[44] Coulter, *op. cit.*, 40.
[45] *Acts*, 1869-70, pp. 291-298.
[46] Coulter, *op. cit.*, 41-45.

ville. During the season of debate, a delegation appointed by the governor of Georgia arrived at the capitol to plead for favorable action. Simultaneously, a memorial to the same purpose was sent to Frankfort by the General Assembly of Tennessee. Yet by spending $4,980 in opposition to the bill Louisville won another victory over Cincinnati. Although the bill barely passed in the House by a vote of 46 to 45, it was defeated in the Senate by an overwhelming majority.[47]

Early in February, when a second defeat at the hands of the Kentucky legislature seemed evident, Senator John Sherman of Ohio introduced a bill in the United States Senate—simultaneously, a companion bill was introduced in the House of Representatives—designed to secure the desired right of way through Kentucky. Lack of local support and opposition to further interference in state affairs by the federal government, however, caused action to be delayed. Although the House voted favorably on the bill, no vote was taken in the Senate before Congress adjourned.[48]

The trustees, for their part, refused to admit defeat. Keeping somewhat in the background, they directed vigorous campaigns in Kentucky throughout the summer of 1871. In December of that year, a third bill in behalf of the Cincinnati Southern was introduced in the Kentucky legislature. After the customary heated debate, in which Cincinnati was represented by her supporters in Kentucky, the measure was passed. Nevertheless, it was rendered impracticable by restrictive amendments. Among these were provisions for a specified route and for the imposition of a tax of one cent on each passenger and on each hundred pounds of freight crossing the state.[49] Fortunately for the Cincinnati Southern, Kentucky reversed her attitude. During 1872, two of the obnoxious restrictions were removed by the legislature, and on February 4, 1873, the final objectionable clause was repealed. When this was done the trustees approved the act.[50]

The delay in obtaining the right of way from Kentucky caused unfavorable reaction in Cincinnati. After the first bill was defeated in the Kentucky legislature an injunction was filed against the trustees to prevent them from drawing any more money from the

[47] *Ibid.*, 49-52.
[48] *Ibid.*, 54; Hollander, *op. cit.*, 30.
[49] Hollander, *op. cit.*, 32.
[50] Edward A. Ferguson, *Founding of the Cincinnati Southern* (Cincinnati, 1905), 37.

$50,000 fund set aside by the city for their use pending the issuance of bonds for construction. When the injunction was contested, however, the superior court refused to continue it in force.[51] To forestall further local opposition, the trustees submitted the Ferguson act itself to the supreme court of Ohio for an opinion on its constitutionality. Early in 1871 that tribunal declared the Ferguson act valid.[52]

Notwithstanding adversities at home and in Kentucky, the trustees had not been deterred from pushing their work forward. By the end of June, 1870, four different routes had been surveyed across Kentucky and surveying parties were then working in Tennessee to the south of Chitwood.[53] In the spring of 1872, W. A. Gunn, who had been employed as an engineer for the Cincinnati Southern, presented a preliminary report on the surveys which had been made. More than three thousand miles of possible routes had been charted, but only half of that distance was reported. In all, there were twenty-six combinations of potential lines. Three feasible routes crossed the Tennessee-Kentucky boundary, one passing through Coal Creek, another through Sparta, and a third, and more direct line, through Chitwood.[54] Cincinnati had two possible approaches, Chattanooga, three. The distance between the two cities varied from 324 to 374 miles.[55]

During the remainder of 1872 and throughout the following year the trustees were kept busy dealing with four problems in addition to those already discussed. (1) There were troublesome legal questions concerning the bond issue and the interpretation of the Ferguson act.[56] (2) By December, 1873, the trustees had selected the route as far as Chitwood, some twenty miles west of Caryville, yet there remained the difficult decision as to whether the last link should run directly from Chitwood to Chattanooga or follow a longer, more roundabout course which would include Knoxville.[57] (3) Partly in consequence of delay and uncertainty, much of the land which property owners along the route had earlier agreed to give or sell to the trustees had later to be acquired by condemnation

51 Hollander, *op. cit.*, 27.
52 *Ibid.*, 31; *Nashville Republican Banner*, January 5, 1871.
53 *Nashville Republican Banner*, January 5, 1871.
54 Coal Creek, Sparta, and Chitwood were all in Tennessee.
55 *Whig*, June 29, 1870.
56 Hollander, *op. cit.*, 30-38.
57 *Knoxville Chronicle*, December 17, 1873. Referred to hereafter as *Chronicle*.

and purchase at great expense. (4) Finally, one of the most perplexing problems was the marketing of the bonds. The trustees were forbidden by law to sell the bonds for less than their par value; furthermore, their high rate of interest was mistaken as evidence of poor credit. To these inherent limitations were added the financial crisis of 1873 and the defaulting of many railroads in interest payments. Finally, after two unsuccessful attempts to market the bonds in Europe, they were negotiated in 1874 at par value in New York, though a high commission was charged for the transaction.[58]

Although the trustees had been consistently at work clearing up preliminary details, four years had elapsed since the passage of the Ferguson act. Needless to say, the Cincinnatians were impatient. Some advocated abandonment of the municipal undertaking, while others clamored for immediate construction. Though criticized almost without mercy, the trustees secured $5,000 on their own personal credit and awarded the first contract for construction on December 12, 1873. This engagement was for a tunnel through King's Mountain in Kentucky.[59]

Awarding of contracts for work in the vicinity of Cincinnati was delayed by two troublesome questions, namely, the purchase of the Lexington and Danville Railroad, and the use of the Newport bridge. On January 20, 1874, however, the trustees completed the purchase of the Lexington and Danville for $300,000.[60] Meanwhile, negotiations for the use of the bridge fell short of success. The owners sought unreasonable tolls for its use, and otherwise showed little inclination to cooperate. Moreover, had the trustees secured passage over the Newport bridge they would have encountered congested traffic in some of the many Cincinnati streets which would have to be crossed before adequate depot and yard space could be reached. Therefore, the trustees decided to build a bridge of their own across the Ohio. The "Ludlow route" was adopted, which gave a most desirable and inexpensive route to the city. To encourage this choice the Ludlow heirs had donated fifteen acres of ground which would be suitable for a depot site and switch-yards. The approach selected was to the west of the Newport bridge.[61] As a result of their having chosen the Ludlow route the trustees were accused of having

[58] Hollander, *op. cit.*, 37-39.
[59] *Ibid.*, 37.
[60] Ferguson, *op. cit.*, 44.
[61] *Ibid.*, 79-80.

served personal ends since some of them owned property on or near the proposed right of way.[62]

The difficulties just discussed out of the way, the trustees began showing visible results. Within three months thirty contracts were awarded for the grading, tunneling and bridging of approximately one hundred and fifty sections of the road. By autumn, 1874, work was well under way on those portions of the road adjacent to the Kentucky-Tennessee boundary. The sections between Chitwood and Emoryville were exceedingly rough; specifications for one segment of 60 miles called for a total of 12,000 feet of tunneling, 1,800 feet of truss-bridging, and 2,300 feet of trestling.[63]

In January of the following year, a $663,500 contract was made with the Keystone Bridge Company to build the bridge across the Ohio.[64] During March contracts were awarded for the building of all bridges and trestles between the Ohio and Cumberland rivers, with the exception of the bridge over the Kentucky River. Specifications called for a bridge across that stream 275 feet high, which, it was claimed, would be the highest bridge in the world.[65]

So many expensive contracts had been awarded that the means at the disposal of the trustees were almost exhausted by May, 1875. Although approximately $9,500,000 had been spent or pledged, the road was only about half completed.[66] Since so much money had been invested in the project, abandonment was unthinkable. An additional appropriation seemed to be the only solution for the problem which confronted the trustees.

When the financial status of the Cincinnati Southern was made known to the public about June, 1875, the Cincinnati newspapers engaged in a bitter campaign of criticism.[67] The *Cincinnati Volksblatt* and the *Times,* also of that city, were especially opposed to the community's making further appropriations. According to the former,[68]

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[62] *Whig,* December 24, 1873, quoting *Courier-Journal* (Louisville), December 15, 1873; *Chronicle,* June 18, 1873; *Chattanooga Commercial,* February 17, 1873, quoting *Cincinnati Commercial.* No denial of such ownership was encountered by the writer.

[63] *Chronicle,* March 25, 1874.

[64] Ferguson, *op. cit.,* 49.

[65] *Loudon* [Tennessee] *Journal,* March 12, 1875.

[66] Hollander, *op. cit.,* 41.

[67] *Whig and Chronicle* (Knoxville), June 30, 1875.

[68] *Ibid.,* January 26, 1876, quoting *Cincinnati Volksblatt.*

> The question in regard to our Southern Railroad is not, whether we shall send six millions more after the ten millions to save the latter, but whether we will lose six millions more.... Shall we lose yet more money than we have already lost? Ten millions are buried in the mountains of Kontucky [*sic*] and Tennessee; shall that inhospitable and barren region swallow up yet more of the hard earnings of the tax-payers of this city?... We have answered it with a very emphatic *no*. Since it is only a matter of losing, it is better to lose ten millions than sixteen....

Various solutions were suggested for the dilemma in which the trustees found themselves. The *Gazette* pointed out that the Ohio might be ferried and that the road should make Knoxville its southern terminus. Only $2,200,000 would be necessary to complete the road under this plan.[69]

On January 26, 1876, the trustees made a report to the Ohio legislature, describing the progress of the road and requesting an enabling act for additional municipal appropriations. They reported that the $10,000,000 previously authorized had been disposed of in the interest of the road, as well as additional funds from other sources amounting to $860,483.25. The total cost of grading, masonry, and bridges under construction was listed at $9,890,213.43. Of the entire length of the road (336 miles), they stated that 240 miles, representing the most difficult part from the engineering viewpoint, was under contract, and that the grading and masonry were entirely completed on a total of 206 miles, and ninety-eight per cent completed on that portion of the road between Cincinnati and Lexington. The trustees claimed that the road could be completed to Chattanooga for $6,000,000, and they desired authority to issue additional bonds for that amount.[70] Early in February, 1876, the legislature passed a bill authorizing the bond issue, if such should be ordered by the voters of Cincinnati.[71] When the election was held, notwithstanding opposition from the press, faith in the trustees was expressed to the extent of $6,000,000.[72]

Despite the financial difficulties encountered by the trustees, work on the road was continued by the numerous contractors, some of

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[69] *Whig and Chronicle,* February 2, 1876, quoting *Cincinnati Gazette.*
[70] *Whig and Chronicle,* February 2, 1876.
[71] *Chattanooga Commercial,* February 11, 1876.
[72] *Whig and Chronicle,* March 2, 1876.

whom were operating both day and night crews.[73] The receipts from the $6,000,000 bond issue enabled the trustees to award still further contracts. During March, 1876, contracts were made covering seventy-four additional miles of construction,[74] and by December, only thirty-nine miles of road remained to be graded. Meanwhile, track was laid from Cincinnati to Somerset, Kentucky.[75]

By the spring of 1877, however, the trustees again found themselves without sufficient funds to complete their road. In order to defray part of their expenses they leased the completed portion of the line to a group of Cincinnatians who, under the style of Common Carrier Company, began operation of the road.[76] In January, 1878, the chief engineer submitted a report purporting to show that an additional sum of approximately $2,000,000 was necessary to complete the road.[77]

On February 14, the Cincinnati chamber of commerce, the board of trade, the board of transportation, and many prominent men assembled to discuss the problem of completing the railway. Resolutions were adopted to the effect that the legislature be requested to authorize an issue of bonds not exceeding $2,000,000, on condition that the bonds should not be issued or sold until contracts were awarded for the completion of the entire road.[78] Nevertheless, the issuance of additional bonds was bitterly opposed by various groups in Cincinnati.[79] Although the Ohio legislature in April, 1878, authorized the bond issue, the voters of the city of Cincinnati failed to ratify further appropriation.[80] About the only thing the people of that city seemed to agree upon was the desirability of censuring the trustees.[81]

Meanwhile, R. T. Wilson, president of the East Tennessee, Virginia and Georgia Railroad, saw a possible chance to make a bargain with the Cincinnatians. He proposed to complete the Knoxville and Kentucky road to Chitwood if the Cincinnati Southern would complete its line to that point. The only guarantee sought was a

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73 *Ibid.*, July 21, 1875, February 9, 16, 1876.
74 *Ibid.*, March 31, 1876.
75 *Ibid.*, December 27, 1876, quoting *Nashville American.*
76 Ferguson, *op. cit.*, 87.
77 *Whig and Chronicle,* January 16, 1878, quoting *Cincinnati Enquirer.*
78 *Whig and Chronicle,* February 20, 1878.
79 *Roane County* [Tennessee] *Herald,* May 2, 1878, quoting *Cincinnati Gazette.*
80 *Loudon* [Tennessee] *Journal,* May 10, 1878.
81 *Whig and Chronicle,* May 15, 1878.

pledge of the business of the Cincinnati road for a brief, but unstated, period of time. He further pointed out that his purpose was not to prevent the completion of the Cincinnati Southern to Chattanooga, but to aid that road in its existing dilemma.[82]

The proposition of Wilson was highly acclaimed by the Cincinnati mayor and by certain other officials, but it was frowned upon by others. The trustees were especially unfavorable.[83] Wilson was invited to Cincinnati to explain the details of his offer, and a committee appointed by the mayor was most favorably impressed. Nevertheless, no agreement was consummated, this owing to certain actions of the Ohio legislature and of the trustees.[84]

A week after the people of Cincinnati had voted down the $2,000,000 bond issue the General Assembly enacted a law which authorized the trustees to award contracts for the completion of the road to Chattanooga, provided the outlays did not exceed $2,000,000. When this was done, the mayor was again to submit the question of the bond issue to the people for ratification.[85]

Being thus invested with the requisite authority, the trustees met on July 25, and conditionally awarded a contract to R. G. Houston and Company to complete the road to Chattanooga for $1,671,998. The contracting firm was given until August 20, 1879, to execute its contract.[86] Although the bond issue was indorsed by the voters of Cincinnati in August,[87] the contractors delayed action until the supreme court of Ohio pronounced the law constitutional, which it did in December.[88] This done, the contractors began work without further delay, and the trustees extended the time for completing the road until December 10, 1879.[89] At nine o'clock in the evening of that date, the first engine to pass over the entire line of the Cincinnati Southern entered Chattanooga. There was no celebration since a few weeks more would be required to put the road in shape to be presented to the trustees.[90] Meanwhile, the latter had added $411,200 worth of rolling stock to their road.[91]

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82 *Ibid.,* May 22, 1878.
83 *Ibid.,* June 5, 1878, quoting *Cincinnati Commercial.*
84 *Whig and Chronicle,* June 12, 1878.
85 *Ibid.,* June 12, 1878.
86 *Roane County* [Tennessee] *Herald,* August 4, 1878.
87 Hollander, *op. cit.,* 48.
88 *Whig and Chronicle,* January 1, 1879.
89 *Ibid.,* January 8, 1879.
90 *Ibid.,* December 17, 1879.
91 *Ibid.,* August 13, 1879.

To commemorate the completion of the Cincinnati Southern a great celebration was held in the "Queen City." E. A. Ferguson, who, more than anyone else, was responsible for the construction of the railway, presided over a banquet which was alleged to have been the largest ever spread in America up to that time. More than seventeen hundred guests, including governors, manufacturers, and merchants, were present for the occasion.[92]

In concluding this brief history of the Cincinnati Southern, three things deserve summary mention, namely, cost and methods of financing the road; excellence of construction; and methods and results of operation. Of the 336 miles of road, rights of way were donated for more than 200 miles. An aggregate of thirty-five acres for depots, shops, and switch-yards were contributed by the Ludlow heirs and the Roane County Iron Works in Cincinnati and Chattanooga, respectively. The only other appreciable donation was that of Chattanooga of $100,000, to be used for depot and other facilities in that city.[93] The remaining cost of the road was borne by Cincinnati. The Cincinnati Southern when completed and equipped cost the city $20,300,000, rather than just the $10,000,000 the original plans called for.[94] Such an immense expenditure was necessary to overcome the mammoth obstacles, both natural and artificial, that confronted the trustees. In the end the road proved to be a profitable investment.

The accomplishments of the engineering department stand as a monument to railroad builders of an earlier epoch. In later years when many railroad companies found it necessary to relocate and rebuild portions of their lines, the Cincinnati Southern remained a superior road without alterations. The bridge across the Kentucky River was the first cantilever built in America and was, when constructed, the highest span in the New World. The bridge across the Ohio, with a channel span of 515 feet, was, at that time, the longest truss span in existence.[95]

Superior construction led to superior results. Although there were times when Cincinnati had to turn out its street lamps on moonlight nights in order to meet interest payments,[96] a reward was

92 Ferguson, *op. cit.*, 125.
93 *Ibid.*, 58.
94 Harrison, *op. cit.*, 973.
95 Frank H. Spearman, *The Strategy of Great Railroads* (New York, 1904), 270.
96 *Ibid.*, 271.

forthcoming, not only in traffic supremacy, but also in returns on the actual investment. In 1881, the operation of the road by the Common Carrier Company was terminated and thereupon the entire road with all equipment was leased for twenty-five years to the Erlanger Syndicate, which controlled the Alabama Great Southern and East Tennessee, Virginia and Georgia railroads. The contract provided for a progressive rental scale which would begin at $800,000 annually and reach $1,225,000 annually for the last five years the lease would be in force. Before the lease expired the East Tennessee, Virginia and Georgia acquired a controlling interest in the Erlanger syndicate.[97] When that company merged with others to form the Southern Railway System, the Cincinnati Southern was leased to the new combination and is still operated as a part of the Southern Railway.

[97] Hollander, *op. cit.*, 50-59.

# THE COAL MINERS' INSURRECTIONS OF 1891 IN ANDERSON COUNTY, TENNESSEE*

By A. C. Hutson, Jr.

The coal miners' insurrections of 1891-92 represented a militant struggle of the coal miners of East Tennessee against a pernicious system of mine operation aggravated by the use of the convict leasing system. The coal miner lived a life of continual insecurity, exposed as he was to exploitation and working for wages that were precarious not only in regard to amount, but also with respect to the regularity of their receipt. These conditions were made the more acute by the state government's leasing of the state's prisoners to coal mine operators. The convicts came into direct competition with the miners, forcing them to acquiesce in the demands of the mine owners and operators. The miners, incensed by the iniquitous system of coal mine operation and the unfair competition with the state convicts, began a series of riotous demonstrations, which necessitated the mobilization of the state militia four times and the establishment of a permanent military camp in East Tennessee in order to preserve law and order and to prevent the eviction of the state convicts from the mine stockades by the irate miners. The public conscience in Tennessee was awakened to the unfairness of the industrial system, and a popular disapprobation of the inhuman convict lease system was made manifest. The insurrections resulted in the abolition of the convict lease system and in the improvement of the system of coal mine operation.

Tennessee was not unique in the utilization of the convict lease system inasmuch as it had been adopted by a majority of the Southern states in the years immediately after the Civil War. That demoralizing conflict had stimulated crime, had swollen court dockets, and had filled prisons to overflowing. This, in turn, increased the financial worries of states, which were already impoverished, without financial resources, and on the verge either of bankruptcy or even of the repudiation of state debts. The leasing of a large number of convicts would permit the state not only to meet its penal expenses, but actually to net a fair profit. The result was that, without regard

* This paper was read at a meeting of the Society in Knoxville, April 6, 1934.

to moral or mortal consequences, the penitentiary whose report showed the largest cash balance came, therefore, to be considered the best penitentiary. If there were qualms of conscience awakened by the system at the beginning, they were silenced by the prospect of relief from taxation. Thus, what was "endured, first as an expediency, [was] finally embraced as a new economic discovery."[1]

Under the above plan, the state leased to one or more private parties some or all of its convicts for a definite sum of money. The lessee contracted to pay for managing, protecting, guarding, feeding, and clothing the prisoners, as well as all other contingent expenses. The state had no control over the convicts so long as the lessee abided by the law and by his contract.[2]

Objection to the lease system came from those who deplored what they regarded as the uncivilized conditions characterizing the penal institutions under this type of management. They lamented the lack of reformation and moral change; the "very bad" influences: the appalling death rate; the atrocious housing and sanitary conditions; the fact that the convicts were overworked and were insufficiently fed and clothed; and that they replaced free laborers in the main industries of the state.[3] In spite of these objections the convict lease system continued to be the prevailing plan of penal management in the Southern states because the lessees found the convicts cheap, efficient laborers, because state officials found that it made the prisons self-sustaining and, in addition, that it netted a large revenue, and because the citizenry were almost oblivious to penal affairs so long as these added nothing to the tax burden.

In 1865, for the same reasons that caused its adoption in other states, the convict lease system was permitted to begin its unhappy reign over the penal institutions of Tennessee.[4] During the period 1865-1891, the system was heartily denounced by the mechanical

[1] Albert Roberts, "The Iniquity of Leasing Convict Labor," *The Engineering Magazine,* I (1891), 749.

[2] *Annual Report of the Commissioner of Labor, United States,* 1886 (Washington, 1887), 381.

[3] Rebecca A. Felton, "The Convict System of Georgia," *The Forum,* II (1887), 484-490; *Annual Report of the Commissioner of Labor, United States,* 1886, pp. 26-29, 300-303; G. A. Cable, *The Silent South with the Freedman's Case in Equity and the Convict Lease System* (New York, 1907); C. S. Potts, "The Convict Lease System of Texas," *The Annals of the American Association of Political and Social Science,* XXI (1903), 426.

[4] *Journal of the Senate of the State of Tennessee,* 1865-66 (Nashville, 1866), 377, 406, 519, 545. Hereafter cited as *Senate Journal. Acts of the General Assembly of Tennessee,* 1865-66 (Nashville, 1866), chap. 34, pp. 48-52. Hereafter cited as *Acts.*

industries, by a few prison officials, by investigatory legislative committees, and by a few governors of the state.[5] The mechanical industries disliked the competition of the convicts in the making of wagons, furniture, and other goods which required skilled labor. Certain prison officials opposed the system because it gave too much power to the lessees and impaired penal discipline. Weak objections to the lease system of prison management were voiced by some of the state's chief executives. A typical pronouncement was that of Governor J. D. Porter in 1877: the present policy is "wrong, but the sentiment of the people [is] not against it."[6] The strongest condemnation of the lease system, however, came from legislative committees that had investigated conditions connected with the leasing of the state's convicts. These conditions they labeled "cruel, inhuman, and barbarous." They stated that the branch prisons, in which most of the leased convicts were kept, were "hell holes of rage, cruelty, despair, and vice."[7]

Nevertheless, the lease system continued to hold sway over the prisons of Tennessee. This was owing to its support by a majority of the governors and prison officials, to the removal of a majority of the convicts from the mechanical industries to coal and iron mines, and to the income derived by the state from the system.[8] Tennessee's convict labor from 1870 to 1890 netted a total profit of $771,391.48. Strikingly enough, this sum lacked but approximately $176,000 of repaying the state for the expenses of its penal institutions from their beginning in 1829.[9] Thus it is easy to understand why most of the prison and state officials were desirous of the continuance of this revenue-producing system and there need be little wonder that the lease system was continued in spite of objections. State convicts were leased to various companies to be worked in coal and iron mines in competition with miners who were unorganized, who were not given to legislative lobbying, and who

[5] *Senate Journal,* 1869-70, report of penitentiary directors, 165-170; *ibid.,* 1875, appendix, governor's message, 5; *Journal of the House of Representatives of the State of Tennessee,* 1871, appendix, penitentiary inspector's report, 397. Hereafter cited as *House Journal. Knoxville Tribune,* Nov. 8, 1891, from the *Nashville American.*

[6] *Senate Journal,* 1877, appendix, governor's message, 10.

[7] *House Journal,* 1889, report of special committee to investigate public prisons, 306-309, 322-325.

[8] *Ibid.,* 1871, inspector's report on the penitentiary, 399, 402-403, 406; *ibid.,* 1873, report of the penitentiary committee, 138; *Senate Journal,* 1877, governor's message, 10.

[9] *Annual Report of the Commissioner of Labor, United States,* 1886, p. 267. See the reports of the treasurers and comptrollers of Tennessee for the period of 1871-1891, in the House and Senate Journals of those years.

did not succeed in directing public attention toward the evils of the system. Their resentment against such leasing was seemingly unheard and unnoticed by the state administration, but the latter's steady adherence to the system nourished what may be described as a malignant growth within the body of the state, a malignant growth that in 1891 finally burst, revealing the dark, repulsive conditions in which it had been rooted.

In addition to the factor of convict competition, there were certain industrial grievances, nursed by the miners against the coal mine owners and operators, which served as the immediate causes of the first insurrection of 1891. For one thing, the Tennessee Coal Mine Company, whose mine was located in Anderson county, near Briceville, had refused to allow A. H. Bradley to act as a check-weighman for the miners who had, according to the law, selected and paid for the services of Bradley as their check-weighman.[10] It should be understood that the miners working back in the mine, without a representative at the tipple where the coal was weighed, had no assurance that the coal was correctly weighed or correctly credited to their accounts. Distrust of the mine owners had led to the demand for a check-weighman. The Tennessee Coal Mine officials had demanded Bradley's dismissal and had let it secretly be known that they would suspend mining operations if the miners did not quit themselves of his services. He was dismissed by a vote of fifty-one to fifty.[11]

Another immediate cause of the initial insurrection was the company's policy of paying the miners for their labor in "scrip."[12] If a miner was sufficiently fortunate as to be located at a profitable place within the mine, he might extract coal at such a rate as would enable him to receive credit at the tipple for four tons per day, for which the company would pay him two dollars in scrip, redeemable at the company's store at par or elsewhere at a discount of 20%.[13] At the company's store, however, prices were nearly 20% higher than at other stores. If the miner did not trade at the company store, he was warned that he would lose his job or be placed in a "hard-working" place in the mine, that is, unless he saw fit to change

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[10] *Special Report of the Commissioner of Labor and the Inspector of Mines to his Excellency Governor John B. Buchanan,* Extra Session, August 31, 1891 (Nashville, 1891), 6-7. Hereafter cited as *Special Report of the Commissioner of Labor,* 1891.

[11] *Ibid.,* 8.

[12] *Ibid.,* 12.

[13] *Ibid.,* 12, 13, 16.

his trading habits. Although this was clearly in contradiction to the laws of Tennessee,[14] the miner, working at near-starvation wages, could ill afford the expense of a suit against the coal company. And so officials of the company continued to scoff at the law by issuing scrip and by compelling the miners by threats to trade at the company stores.[15]

A third major grievance of the coal miners was the so-called "iron-clad" contract which they were obliged to sign before beginning work for the companies. Such a contract was that presented to the Tennessee Coal Company's miners in the spring of 1891, when they returned to work after a month's enforced idleness occasioned by repairs having been made in the mine. By signing this contract, the miners would relinquish their right to a check-weighman, would surrender to the company all coal on their cars in excess of 2,200 pounds, would agree to accept scrip, would promise not to stop work when they had a grievance, and would certify that they had "implicit confidence in the integrity" of the company. Most of the miners, having no confidence in the company and honestly doubting if it had any integrity, would not accept the contract. Thereupon the company threatened to mine its coal with state convicts.[16] The miners, unmoved, refused to sign and on July 5, 1891, a carload of forty convicts was brought to the Tennessee Coal Mine at Briceville. These newcomers were immediately put to work tearing down the dwellings of the former miners and erecting a stockade for the main body of convicts, whose arrival was promised within two weeks.[17]

Upon the appearance of the prisoners, the miners saw their jobs, their means of livelihood, and even their homes, fading away. In fact, eviction had already come. Destitution and starvation were imminent. The citizens of the valley, of all classes and professions, were thoroughly aroused; few there were who did not condemn both the Tennessee Coal Mining Company and the state; few there were who did not openly sympathize with the evicted miners. These latter now determined to drive away from the place where they, themselves, had "formerly gained their bread," the recently arrived convicts.[18] At a mass meeting, held on the evening of July 14, be-

[14] *Ibid.*, 13.
[15] *Ibid.*, 13.
[16] *Ibid.*, 10, 13, 17; *Knoxville Daily Tribune*, Aug. 5, 1891.
[17] *Knoxville Journal*, July 18, 1891. Hereafter cited as *Journal*.
[18] *Ibid.*, July 16, 1891.

fore the expected arrival of the main body of convicts the next day, the miners decided to take aggressive action "for uprooting," as they expressed it, "this blot and stain on the fair name of our great state." Just after midnight approximately three hundred armed miners advanced in a massed line upon the stockade at the Tennessee Coal Mine. They demanded the immediate release of the convicts, and the officers and guards, realizing the futility of resistance, surrendered the prisoners. The convicts were lined up, and the miners marched them along with the guards and officers to Coal Creek, where all of them, except the miners themselves, were entrained for Knoxville.[19] There they awaited instructions from Governor John B. Buchanan.

Following their precipitate course of action, the miners informed the governor that they, "...five hundred of the citizens of Coal Creek and vicinity [had] come together to defend [their] families from starvation, [their] property from depreciation, and [their] people from contamination from the hands of the convict labor" which was depriving them of their livelihood. They requested the intervention of the governor in their behalf, so as to prevent bloodshed and additional loss of wages.[20] This request the governor received after he had arrived in Knoxville to attempt a personal settlement of the dispute.

There were other messages, too, that had informed Governor Buchanan of the outbreak. E. B. Wade, superintendent of prisons, had advised the governor that an armed mob had released the convicts, that the local sheriff was unable to handle the situation, and that two or more military companies were needed to quell the revolt. Buchanan had replied that it would be necessary for the sheriff to request aid of the state authority, for without such a request he possessed no legal right to dispatch the military. Wade, annoyed at the delay, had informed the governor that the situation demanded "prompt and decisive action," inasmuch as "nearly all the citizens of Anderson County around [the] mines are in sympathy with the mob."[21] Thus urged, the governor had then wired Sheriff Rufus Rutherford of Anderson county to ask for the military if he needed assistance. The sheriff had replied that he was unable to enforce

[19] *Special Report of the Commissioner of Labor,* 1891, p. 19; *Journal,* July 16, 1891.

[20] *Special Report of the Commissioner of Labor,* 1891, pp. 19-21; *Journal,* July 17, 1891.

[21] *Special Report of the Commissioner of Labor,* 1891, pp. 19-21; *Journal,* July 16, 1891.

the law, whereupon Buchanan had ordered three companies of the state militia to meet him in Knoxville on July 16.[22]

It will be recalled that it was in Knoxville that the governor received the miners' request for intervention. Forthwith he acted. On the morning of the sixteenth, the governor with his party, and three companies of militia left Knoxville by rail for Coal Creek, the convicts being taken with them in an attached car. Meeting the gubernatorial party at Clinton, Sheriff Rutherford was ordered to deputize the militia. This done, the train proceeded to Coal Creek, the passenger train junction for Briceville, where it was met by a large crowd but with little demonstration.[23]

In the afternoon Governor Buchanan addressed the miners and citizens of the community at a place called the Thistle Switch. In this address the governor claimed that he had nothing to do with the making of the laws of the state, but he did declare that he was charged with the enforcement of laws and that he intended to enforce them in this instance. He condemned the miners for having broken the law, even though the law be admitted as unjust. Wrongs were rectified in courts and not by force of arms, continued the chief executive. His advice was that the miners desist from their insurrectionist activities and instead to resort to the courts for a redress of their grievances.[24]

In a well reasoned reply, Eugene Merrill, the leader of the miners, pointed out that even though the governor was correct in his statements, he had failed to take into consideration the fact that the miners had been shamefully mistreated by the coal mine officials, who for their part had broken the law with impunity. Merrill cited the failure of the operators to allow a check-weighman or to pay in lawful money, their intimidation of the miners, and their presentation of an iron-clad contract which, if executed, the speaker claimed would result in a "modified form of slavery."[25] The labor chieftain then asked the governor if he would send the militia as quickly as he had done in the present instance in order to force the operators to grant the miners their rights according to the law. To this, Buchanan made no reply.

In several additional speeches there seems to have been reflected the aroused feeling of the citizenry of the community. A Farmers'

22 *Special Report of the Commissioner of Labor,* 1891, pp. 19-21.
23 *Ibid.,* 19-21.
24 *Ibid.,* 21-22; *Journal,* July 18, 1891.
25 *Special Report of the Commissioner of Labor,* 1891, pp. 21-22.

Alliance man, of that very party which, not many months before, had nominated and elected Governor Buchanan, stated: "Our fathers years ago took guns and fought for liberty, and shall we, their sons, at the sanctions of Mr. Morrow, be made to acquiesce to what we think a rightful duty?" Another speaker, after welcoming the head of the state to the community, declared that "We could have done... without your bringing along dudes and boys. We wouldn't hurt them infants."[26]

Upon the adjournment of the meeting, Governor Buchanan and his party were escorted to the home of Captain Chumbley, near the stockade of the Knoxville Iron Mine, where they spent the night. After a miners' meeting that evening, which the governor did not attend, some of the more radical miners fired some guns in the direction of the stockade, and for a few minutes there was fear of another outbreak. The governor himself shouldered a gun and prepared to participate in the defense, but the miners passed on and the scare was over. In fact, most of the miners had banded together to see that trouble did not occur during the night. Despite this assurance the governor did not rest well, and early the next morning, left for Nashville, owing to a "press of business" of which he was doubtless glad, because he had indeed been greatly fatigued by the toils and trials of the preceding two days and nights. With regard to the Briceville situation, Buchanan stated that he had done all that was in his power, intimating that he would have done more if the constitution had given him the authority. He again asserted his intention to enforce the law with respect to the convicts, but he made no declaration of any intention to relieve the miners' grievances.[27]

If the governor found it convenient to take his departure, he ordered the militia to remain at Briceville so as to preserve law and order. Although the troops did build a small barricade, there was not much that they could do to prevent another outbreak. They lacked sufficient provisions and proper sleeping facilities. Besides, most of them had no desire to make a determined stand against the miners. Many of the disgruntled militiamen requested leaves of absence, but naturally they were refused. At one time it looked as if the Chattanooga detachment would go home, but its members were shamed out of desertion. For their part, the miners sympathiz-

[26] *Ibid.*, 21-22. Mr. Morrow served as an agent of the Tennessee Coal, Iron and Railroad Company, lessee of the state's prisoners.
[27] *Journal*, July 18, 1891.

ed with the militia and some slipped food into the camp for them. Others entertained the soldiers in their homes and developed cordial relations. For these reasons, it is doubtful if the militia would have interfered had the miners again tried to release the convicts.[28]

While the soldiers were constructing a barricade, guarding the convicts, subsisting on a menu unfit for human beings, and denouncing the governor because of their plight, Commissioner of Labor G. W. Ford and his assistant were mingling with the miners, striving to bring matters to a satisfactory settlement. Nevertheless, in spite of their friendly, even confidential, relations with the miners, they were unable to sway the latter from their determination of "no compromise—the convicts must go." Thus the miners were just as determined to expel the convicts as the governor was that the convicts should remain. Moreover, the consensus of opinion in the community, including that of other citizens as well as the miners, was that "if convict labor is allowed to get a good hold on the valley, its freedom and prosperity will be ruined."[29]

The first insurrection gave rise to an enormous amount of newspaper controversy as to where the guilt for the conditions existing in the coal mining industry should properly be placed. The Tennessee Coal Mine Company officially declared that the miners were "unfair, unmanly and dishonorable;" that it was the display of such characteristics on the part of the miners which had necessitated the leasing of the convicts; that the company had no apology to make for its actions; and that it was definitely committed to the present arrangements as long as the governor would support them.[30] To these and to other accusations the miners replied by admitting that they were "rough and hard," that they did have "black sheep in their number," but that on the other hand they did consider the rights of others and expected the same in return.[31]

The first insurrection revealed to Tennessee officialdom a group of individuals with characteristics, aspirations and philosophy of life that were novel in the extreme. It took a storm to blow away the dark clouds of ignorance and to bring into official view a previously unnoticed type of laborer, who had borne silently the injustices which had been pressed upon him. This laborer—specifically, the

[28] *Ibid.*, July 20, 1891.
[29] *Ibid.*, July 18, 1891; *Special Report of the Commissioner of Labor*, 1891, p. 24. The miners did agree to remain quiet over the week-end.
[30] *Journal*, July 21, 1891.
[31] *Ibid.*, July 21, 1891.

miner—whose honest, common-sense philosophy asserted that 'right' was 'right' and 'wrong' was 'wrong,' wherever they were found, stoically believed that nothing should prevent the eradication of the 'wrong' and the maintenance of the 'right.' Although these miners were uneducated, they possessed, as one editor stated, an ability to see into the very "marrow of things."[32] In their simple, rough, rugged way they expressed the ideals of the pioneer. They were sympathetic, understanding, faithful and generous in their relations with their fellowmen. A miner would not hesitate, even in the face of obstacles, to go to the aid of an unfortunate neighbor. If, on the other hand, a person were guilty of misconduct, the miners would use physical force, if necessary, to compel that individual to desist from his course and to make amends for his misdeeds. The philosophy of the miner did not tolerate unfair practices, such as the oppression of the weak, who could not retaliate. The miners' nature rebelled against the use of nefarious, undermining, secretive methods in order to gain wealth or power. They would, however, break with impunity existing laws and customs to gain what they considered their "rights and privileges." They would kill to maintain honor, destroy property to avenge an insult, and break the law to protect their families. These miners, underdogs of society, saw in the convict lease system, not profit and revenue to the state, but a vicious practice that would take away their means of support and leave them and their families in destitution. From their point of view they were fighting against a real situation, not against a finely spun theory.

The methods employed by the miners, although unlawful, were no more unethical than the methods used by capitalists against labor. While the capitalists did not adopt an open and aggressive manner to attain their objectives, they did not scruple to employ more underhanded methods, such as lobbying or bribery. The mine operators, due to their position and power, were able to coerce the miners to work where they desired, to trade at the company stores, to accept scrip, to deny themselves a check-weighman, and to submit to similar humiliations and oppressions. They scoffed at the laws regarding the check-weighman and the issuance of scrip, for they knew that the miners were financially unable to institute legal proceedings against the coal company. The operators maintained that the frequent strikes of the miners forced them to engage convicts to work in the mines, while the miners in turn recalled the failure

[32] *Ibid.*, July 18, 1891.

of the company to give them a check-weighman, and denounced the operators' efforts to force them to work in competition with convict labor.

The first insurrection, viewed from any angle, was indecisive. Governor Buchanan with three companies of state militia had replaced the convicts in the stockade at the Tennessee Coal Mine, but he had not appeased the wrath of the miners, who demanded that their grievances be redressed.[33] The governor had pleaded for law enforcement, but he had not promised redress of grievances. Thus, not only was the affair not definitely settled; it had become, in reality, more precarious than ever. The quiet-appearing volcano was on the verge of another and a more violent eruption. The exterior tranquillity of the miners failed to reveal their inflexible determination to expel the convicts. Each successive day this determination grew stronger. In compliance with their agreement with Commissioner of Labor Ford, the miners remained peaceful over Sunday, July 19, 1891. That day was uneventful but, as the future was to prove, it was only the calm that precedes the storm.[34]

By six o'clock on Monday morning, miners from all the territory around Anderson county, even from across the Kentucky state line, were beginning to pour into the mining camps at Briceville and Coal Creek on foot, on mules, and on trains. They armed themselves with long barrelled shot-guns, Winchester rifles, and Colt pistols. A line was formed and the march to the Tennessee Coal Mine was started about 7:30 A. M. Scouts, posted on the high mountain ridges which encircled the mine, sighted the oncoming miners and relayed the warning to the stockade, where hasty preparations were made to defend the convicts. Shortly before arriving at their destination, the miners moved into the mountain ranges, hiding behind trees and rocks as they advanced. Those who were without guns remained in the background, arming themselves as best they could with stones and branches. [35]

As the miners' force came within firing distance, a committee of their leaders went up to the stockade to confer with Colonel Granville Sevier, who was in charge of the militia. The committeemen demanded the release of the convicts and their transportation out of the valley. Colonel Sevier, hesitating, made moves as if to take the

[33] *Ibid.*, July 18, 20, 1891.
[34] *Ibid.*, July 21, 1891.
[35] *Ibid.*, July 21, 1891; *Special Report of the Commissioner of Labor*, 1891, pp. 29-32.

committee captive. At once Eugene Merrill waved a handkerchief as a signal to the miners, who sprang from the hillsides two thousand strong. Realizing that they were far too numerous for his force of one hundred militiamen, Sevier decided to withdraw to Knoxville as the miners requested. The latter promised to molest neither the stockade nor any company property, and, in addition, to aid in guarding the convicts. Thus the entire assemblage of forty convicts, six guards, one hundred soldiers, and approximately two thousand miners began the march of five miles to Coal Creek. Commissioner of Labor Ford and Adjutant General H. H. Norman, on their way to the stockade, joined the procession near Briceville. Miners' wives handed out sandwiches and coffee to the visiting miners as they passed along. One woman, fifty-five years old, had walked five miles, carrying a basket of food to distribute to the miners.[36] While awaiting transportation at Coal Creek, several of the soldiers went home with the miners and ate at their tables. The miners voted the soldiers "excellent fellows." A militiaman called out, "What's the matter with the miners?", to which the troops replied, "They are all right."[37] About 1:30 P. M. the entire group of convicts, guards, and militia was loaded on a train and sent to Knoxville.

A prophesy of the outbreak had been sent to Knoxville early in the morning of the twentieth by J. A. Dunn, reporter for the *Knoxville Journal.* Throughout the day Knoxville had been the scene of intense speculation and wild rumors as to occurrences at Coal Creek and Briceville. When news arrived of the capitulation of the militia and of the movement on Knoxville, large crowds assembled at the railway station. About 4:00 P. M. the train, consisting of an engine, a passenger coach, and several open coal cars, arrived in Knoxville. The convicts, wearing stripes, as one person described them, "More prominent than those on the pants of a later day dude," were unloaded from the dilapidated coach and marched up town to a place of safe keeping. The militia, hardly distinguishable from the black dust of the coal cars, also marched uptown to find food and a resting place.[38]

At Briceville more stirring events were taking place. Scarcely had the miners sent the convicts and militia from the Tennessee mine to Knoxville, than plans were made to do the same with convicts at the Knoxville Iron Company's mine, although convicts

[36] *Journal,* July 21, 1891.
[37] *Special Report of the Commissioner of Labor,* 1891, pp. 29-32.
[38] *Journal,* July 21, 1891.

had been employed there since 1875. About 2:00 P. M. a meeting of the miners was held in an orchard just opposite the Knoxville Iron mine. Despite the protests of the commissioner of labor and of the adjutant general, the miners proceeded to line up and to march on the stockade. Not surprised by their appearance, the warden of the branch prison was willing and ready to give over the convicts. The latter were lined up, and the miners placed twenty-five of their own number in front and on each side to prevent escapes, while the main body fell in behind the procession. At Coal Creek, the convicts were loaded on a train and sent to Knoxville to join their fellow prisoners.[39]

Thus the miners had been temporarily successful in a revolt which had been accomplished without bloodshed, without "the slightest outward excitement, animosity, or ill-feeling or intoxication, but with the resolute determination of East Tennesseans armed to fight for a just cause."[40] Following the second convict ejection, the miners withdrew to a private place for another meeting, at which they bound themselves by an oath not to molest either state or company property and to conduct themselves as quiet, respectable citizens. The meeting quietly adjourned and the miners returned to their homes, happy in their deeds, but firmly facing the future. During the night a group of the miners guarded the stockade and property at both of the coal mines to prevent any destruction either by radical miners or by company officials seeking to place the blame on the miners.[41] An onlooker at Coal Creek had said with a grim smile, "They are determined to wipe out the convict system in East Tennessee at any cost." Even though their actions may have appeared radical, the men had "conducted themselves in the most orderly and quiet manner and deserved credit for their conservatism and their lack of rashness."[42]

Governor Buchanan, informed of the second insurrection, immediately ordered fourteen companies of the state militia under General Sam T. Carnes to rendezvous at Knoxville, equipped with three days' rations, ammunition, guns, tents, and blankets. This increased to six hundred the number of soldiers mobilized to suppress the revolting miners. These militiamen were quartered, upon their ar-

39 *Ibid.*
40 *Ibid.*
41 *Ibid.*
42 *Ibid.*

rival, on the University of Tennessee grounds until the governor should arrive from Nashville.[43]

Meanwhile, the miners at Coal Creek were making further preparation for the arrival of Governor Buchanan. They appointed a committee of five, who were to go to Knoxville and to request influential citizens to accompany them to see Governor Buchanan in the interest of the miners. Buchanan was loudly rebuked for having sent the militia to East Tennessee a second time, for it was felt by the miners that the "militia was not needed to preserve peace, but to see that convict laborers worked in the Tennessee Coal Mining Company's Mines."[44]

The governor arrived in Knoxville on Wednesday morning, July 22, and immediately granted an interview to the committees awaiting him. At this meeting, the miners requested, first, that the *status quo* be restored, that is, that the convicts be returned temporarily to the mines and that all offenses committed by the miners be pardoned; second, that the lease contract then be annulled and the convicts removed; third, that the governor convene the General Assembly and recommend the repeal of the convict lease law; and fourth, that upon the repeal of the lease law all the convicts in East Tennessee mines be removed to the state prison. The miners promised to protect state and company property until the foregoing could be effected. They concluded their petition in these words:

> It is not necessary for us to refer to the gravity of the situation. Sufficient is it that it is so. We are neither of the school of the commune nor nihilist. We struggle for the right to earn bread by honest labor, and in principle are opposed to the system of labor which may be invoked to our degradation. For us and our families we invite the sympathy of a common humanity.[45]

When the lessees were called in and consulted regarding the proposition, neither would agree to remove the convicts from the Tennessee Coal Mine or to annul the contract between the state and them. Buchanan then told the miners that there was nothing for

[43] *Ibid.*, July 22, 1891. These companies were the Memphis Chickasaw Guards, Rosier Zouaves, Maurelain Cadets, Buff City Guards, Hiberian Rifles, Nashville Washington Artillery, Nashville light infantry, Buchanan Rifles, Perkins Rifles from Franklin, Springfield Rifles, Murfreesboro Rifles, Shelbyville Rifles, Tullahoma light infantry, and Winchester Rifles.

[44] *Ibid.*, July 21, 22, 23, 1891.

[45] *Ibid.*, July 23, 1891; *Special Report of the Commissioner of Labor*, 1891, pp. 33-36.

him to do but to enforce the law, even if it resulted in bloodshed. He did inform the miners, however, that before coming to Knoxville he had determined to call an extra session of the legislature, before which he planned to present the miners' plea along with other pressing questions. He stated that he could not, of course, guarantee the action of the legislature, but he assured the committee that he was determined to restore law and order in Anderson county. When the governor completed his remarks, the committee realized that it had not been able to accomplish what had been desired and that it could not go further without additional instructions from the assembly at Briceville. The conference adjourned until the next evening. Fears were expressed as to what might occur when the committee returned to Briceville without having accomplished its aims; it was proposed, therefore, that a number of influential Knoxvillians accompany the committee in an endeavor to persuade the miners to await peaceably the action of the General Assembly.[46]

Since the miners' committee could not return to Briceville before Thursday morning, it attended a large mass meeting of Knoxville laborers on Wednesday evening. In addressing the meeting Chancellor Henry R. Gibson compared the convict labor system with "a sword held over the heads of our laboring people." He held that the miners had the right to "compete with free, not slave labor." Continuing, Gibson observed that for a long time the "miners have been calling upon the Governor, but he heard them not, for he had corporation cotton in his ears." He asserted that "In all likelihood the world has never seen so much forbearance as these miners have exercised under so great a provocation. Throughout they have conducted themselves like gentlemen and Christians. They are not fighting law or society, No, but they are fighting for their rights of manhood. The state of Tennessee is far more honored by these miners than by those who would turn the Gatling guns upon them." In conclusion the chancellor called upon the people to accept the governor's proposition to allow the legislature to settle the question, in order that there should be no bloodshed.[47]

The miners' committee, Knoxville citizens, and press representatives left early Thursday morning, July 23, for Briceville, where the governor's answer to their demands would be presented to the miners. They were met by a large crowd, quiet and determined in manner,

[46] *Journal,* July 23, 1891; *Special Report of the Commissioner of Labor,* 1891, pp. 33-36.
[47] *Journal,* July 23, 1891.

which accompanied them to the Thistle Switch, where the meeting was called to order by Mr. M. Ingraham, chairman of the miners' committee. Committee members called upon the miners to be "men of sobriety, thoughtfulness and men of reason," and to hear the proposition of the governor as it would be explained by Mr. J. C. J. Williams of Knoxville. Despite this admonition, the miners were opposed to any arrangement that did not provide for the removal of the convicts. Expressions of "Lets us fight it out" were heard as Williams arose to speak. The situation was indeed delicate and one liable to produce trouble, yet Williams was able to break down the hostile attitude of the miners by his tactful manner in presenting the governor's proposition. Such is reflected in the speaker's introductory remarks:

> I hardly know which way to turn, I see such a sea of faces before me, on either side of me and behind me. I want to say that I occupy a position toward you like that of the Queen of Sheba toward King Solomon. When she saw all the splendor and greatness before her she threw up both hands and said she had heard a great deal about it, but the half had not been told....I see before me honest assembled labor that ought to wear a crown. You have only to be conservative and a great victory is within your grasp....[48]

Then he stated that that "pernicious thing, the convict lease system," is "unaminously [*sic*] lost" for the "sovereign people say it must go." Quoting the byword of Andrew Jackson, Williams declaimed: "By the eternal, this system must go out of existence. You want the hydra-headed monster stamped out by the legislature." In reply to this, cries of the miners echoed, "We will, if it won't." Continuing his address, the speaker argued that "you want the other counties on your side, [as] it is best to have the law repealed." The governor had promised to call an extra session of the legislature to discuss the question, but Williams warned that this would take time and urged that the miners should be patient. He advised the acceptance of the proposition as that was the way to "get rid of this infamous statute and get rid of the zebras."

The Williams address broke down the recalcitrance of the miners and they appointed a committee to prepare another set of resolutions. While these were in process of preparation, members of the

[48] *Ibid.*, July 24, 1891; *Special Report of the Commissioner of Labor*, 1891, p. 36.

miners' committee told the assembled host that by accepting the governor's plan the arrest and punishment of the leaders and members of the miners' band would be avoided; that the convicts would be returned to the mines if it took the federal army to do it; and that it would be well to wait three months for the action of the state legislature. By this time the resolutions committee had returned, and its report the miners accepted. These resolutions were that the *status quo* should be restored; that the militia should be ordered home from Knoxville; that the governor should call an extra session of the legislature; and that an armistice should be declared for sixty days.[49]

The miners' proposal was rejected by the governor in an interview, held Thursday evening, on the ground that the clause providing for the armistice of sixty days was in the nature of a compromise which would lower the dignity of the state. After considerable discussion the meeting ended without any agreement having been reached.[50]

During that night and the next day, Friday, intense feeling prevailed in Knoxville and throughout the state when it was discovered that no agreement had been made. In a number of the larger cities mass meetings were held, at which resolutions were adopted denouncing the convict lease system and declaring that it must be entirely abolished. While doubt and uncertainty spread throughout the state, the miners' committee held a meeting in Knoxville, at which the commissioner of labor, G. W. Ford, presented another set of resolutions for its consideration. This proposition was considerably less severe in tone than its predecessor and it greatly reduced the number of stringent demands. It provided for the restoration of the *status quo;* for the miners' protection of the convicts and guards on their return to the mines; for the immediate return of the militiamen to their homes; and for the miners' reposing confidence in the governor and General Assembly to give them the "necessary relief from the repression that now hangs over us."[51] These resolutions, after considerable discussion, were adopted by the miners' committee; and on Friday afternoon they were accepted by the governor.

Although this settlement was much less satisfactory to the miners than their original petition, they had, nevertheless, made some gains.

[49] *Special Report of the Commissioner of Labor,* 1891, p. 36.
[50] *Ibid.,* 36.
[51] *Ibid.,* 36; *Journal,* July 25, 1891.

The miners had been compelled to give up their demands for the immediate removal of the convicts from the Tennessee Coal Mine, for a definite statement on the part of the governor of opposition to the lease system, and for an armistice of sixty days until the action of the legislature. Yet in their fight against the lease system they had obtained a direct promise of an extra session of the legislature to consider the question and, what was of equally great significance, the almost unanimous support of the press and of public opinion throughout the state.

In accepting these resolutions the governor congratulated the miners "upon their manliness in thus submitting the case, and upon their determination to abide by the laws and enable him to preserve the peace." Later, he told reporters that "the terms of the agreement finally adopted by the miners' committee is just what I wanted and suits me exactly. It is exactly what I told them I wanted.... We have reached a satisfactory conclusion of a most ugly problem. I shall call an extra session of the legislature as I agreed to do."[52]

The compromise settlement was just as obnoxious to the miners as it was pleasing to the governor. A member of the miners' committee in speaking of the agreement expressed the sentiments of the group by declaring:

> No, it is not satisfactory to any of us, it is not to me, but it is, under the circumstances, the best thing we could do, that is what my people wanted us to do, that is, do the best we could under the circumstances. We believe we have acted right in what we have done and believe that if it had not been for the movement we made on the convicts, the good we have reached in the way of stirring up public interest and sympathy and having the Governor agree to call an extra session of the legislature to repeal the law, would never have been accomplished. If the Governor will stick to his side of the agreement, we will to ours. But if at the end of a certain time he has done nothing, then you may expect to hear from us again....[53]

Now that the "war" was over, the soldier laddies could go back "to the girls they left behind." The entire force had departed from Anderson county and East Tennessee by Sunday morning,

[52] *Journal*, July 25, 1891.
[53] *Ibid.*, July 25, 1891.

July 26. Camp life had been very monotonous, enlivened only by drills, competitive reviews, watermelon rind fights, arrests for absences without leave, and "ham and bread" with plenty of water. The conduct of the enlisted men occasioned the following remark by one of the officers: "The trouble is the boys do not yet thoroughly understand that this is not all play."[54]

The one hundred and fifty convicts were returned to their stockades at Briceville and Coal Creek on Saturday morning, July 25. Governor Buchanan and his party, a group of "on-lookers," and some reporters, including two special "war" correspondents, accompanied the convicts back to the scene of the outbreak. The train was met by about one hundred men and only one of these had a gun, a situation rather disappointing to the "war" reporters. At the Tennessee stockade they found those miners who had patiently protected the property from damage during the crisis. When Buchanan took his leave of the late insurrectionists, one reporter described the scene as follows: "With implicit confidence in each other the Governor and these men shook hands on the matter and everyone now awaits to see what he will do."[55]

Thus Governor Buchanan was able to secure a "peace with honor." He was able to "vindicate" the law without the shedding of blood. The miners with their crude and rough tactics had drawn a surprising amount of attention and had won a number of concessions, despite the fact that their opponents were masters in the art of diplomacy. They had broken one good law in order to strike a death blow at a bad one. Probably never in the history of labor agitation in Tennessee had a mass of men been so aggrieved, so anxious for their rights and privileges, and yet had remained so nearly within the "pale of the law." The miners had aroused, as is seldom done in such instances, the feelings and sympathy of the people of the state in behalf of their cause. They, as well as the citizenry in general, now realized that it behooved them to "await patiently the solution of the vexed question by lawful and regular methods."[56]*

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[54] *Ibid.*, July 23, 25, 1891.

[55] *Ibid.*, July 26, 1891; *Special Report of the Commissioner of Labor*, 1891, p. 40.

[56] *Journal*, July 23, 1891.

* The second, and concluding, installment of this study will appear in Number Eight of the East Tennessee Historical Society's *Publications*.

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Biggs, R. O. The development of railroad transportation in East Tennessee during the reconstruction period.
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Layman, Edith Belle. Tennessee's action on the proposed amendments to the constitution of the United States.
Lynn, Alice Hunt. Tennessee's public debt as an issue in politics.
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Barbee, J. D. Navigation and river improvement in Middle Tennessee, 1807-1834.
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*List of Research projects in History*

The territorial papers of the United States. v. 4 [Southwest Territory] completed and ready for printers. ed. Clarence E. Carter, *U. S. Department of State.* (no. 454)

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# THE EXECUTIVE JOURNAL OF GOVERNOR JOHN SEVIER

EDITED BY SAMUEL C. WILLIAMS

(Continued from The East Tennessee Historical Society's *Publications*)

Knoxville, October 7, 1803.[1]

Sir: I have been informed, by report, there is to be a meeting of the Cherokee Chiefs at South West Point on the 15th Instant, and probably something relative to opening a road through the Nation into the State of Georgia might at that time be proposed to the Indians. It is a subject in which I conceive the State of Tennessee to be much interested, and also our sister State, Kentucky; and would therefore very willingly attend a day or two on the occasion, as also to avail myself of an opportunity of renewing my friendship in behalf of the State with those people. Will you please drop me a line by Captain Sparks[2] or some other convenient opportunity. Colonel Return J. Meigs, Agent for the Department of War.

Knoxville, October 12, 1803.

Sir: Mr. Edward Teale[3] has communicated to me, and also laid before me some papers shewing that he has a claim to a Negro lad

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[1] Because of a provision in the Tennessee Constitution of 1796, John Sevier was ineligible for reelection as governor in 1801. Archibald Roane succeeded him in the governorship and served from September 23, 1801, until the same date in 1803, when Sevier, after his election, was inaugurated for his fourth term. This explains why there are no entries in his executive journal for the year 1802.

[2] Capt. Richard Sparks, who on January 29, 1797, had married Ruth, daughter of Sevier. He arose to the rank of colonel in the United States army before his death July 1, 1815, very near the date of John Sevier's death. For the romantic career of Sparks, see J. H. F. Claiborne, *Mississippi* (Jackson, 1880), 221 n.; S. C. Williams, *Beginnings of West Tennessee* (Johnson City, 1930), 62; Zella Armstrong, *The Sevier Family* (Chattanooga, 1926), 267. Ruth seems to have been the favorite daughter of Sevier, and is described by Claiborne as "a lady of great beauty and noble character." For short sketch and portrait of Ruth Sevier Sparks and some account of Sparks, see S. G. Heiskell, *Andrew Jackson and Early Tennessee History* (Knoxville, 1921), I, 344; Leota S. Driver, "Colonel Richard Sparks—The White Indian," in *Tenn. Hist. Mag.*, 2nd ser., II, 96-110.

[3] Tiel or Teale was a resident of the Cumberland region. *Tiel v. Roberts*, 3 Haywood's Rep. 139.

named Andy now in possession of Double Head[4] in the Cherokee Nation. The negro appears by bill of sale to have been conveyed from John Chisolm[5] to his son James Chisolm, who let his brother Igg Chisolm[6] have the Negro in possession, and by some means the Negro was placed in the hands of Double Head, until a certain sum of money was paid by James Chisolm to Double Head, the Negro was to be returned to James Chisolm. It appears by several papers (which Mr. Teale will lay before you) that the money has been paid by James Chisolm, who since conveyed the Negro to Edward Teale. So far as I can discover by the papers signed and certified by Lovely[7] the assistant Agent, and others, the Negro is not the property of Double Head, and ought to be given up to Teale, or his value paid; however, Mr. Teale will make you ac-

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[4] Doublehead was a leading chief of the Cherokees. For phases of his career: C. C. Royce, *Cherokee Nation* (Washington, 1887), 190-3.

[5] For sketch of John Chisholm, see E. T. Hist. Soc. *Pub.*, I (1929), 60, 66 n.; *ibid.*, 5 (1933), 150 n.

[6] Ignatius Chisholm, *ibid.*, 1 (1929), 66.

[7] William L. Lovely is scarcely a silhouette in the history of Tennessee, creditable as was his career in war and peace. That his name has practically vanished as a Tennessean is, perhaps, due to his removal to the West at an early day. Before the commencement of the Revolutionary War he came to America from Dublin, Ireland, "where he acquired the information and manners of a gentleman," as Colonel Meigs wrote in 1817. He lived for some time in the family of the father of President James Madison. In a letter to President Madison he referred to the fact that the two had parted in 1774. Lovely to enter upon the campaign against the Shawnee Indians as assistant to the commissary-general. In January, 1776, he entered the Continental army in which he remained throughout the war, "from which from the beginning I was never absent for a day." During nearly the whole time he commanded a Virginia company in the regiment of Colonel Mullenburg, from which he was transferred to Col. Morgan's corps of light infantry. He was at the capture of the British General Burgoyne at Saratoga. Then he was transferred to the command of General Anthony Wayne and fought at Stony Point, ending his Revolutionary service at the Yorktown surrender of Lord Cornwallis. Shortly afterward Lovely removed to the Tennessee country, seemingly living in Washington county, where he is said to have taught school for a time. His clerkly skill commended him to Sevier who, when he was appointed brigadier-general of Southwest Territory by President Washington, named Lovely major-adjutant on his staff. Lovely served as clerk of the House of Representatives of the territorial legislature for two sessions, (1794, 1795); and then in Indian affairs at the Cherokee agency, at Tellico Blockhouse, where he gave a deposition in the investigation of the Blount conspiracy, July 8, 1797. He served faithfully and with satisfaction as assistant agent under Colonel Return J. Meigs until 1813, when he was directed to take up the work of agent to the Cherokees in Arkansas. In 1816 he negotiated the grant by the Osage Indians of a tract of over seven million acres which became known as "Lovely's Purchase." Major Lovely died on February 24, 1817, in Pope county, Arkansas. The celebrated Sam Houston was offered but declined appointment as his successor and the place was given to Reuben Lewis, a brother of the distinguished Meriwether Lewis. The western part of the great "Purchase" became a part of Lovely county, which embraces several of the present-day Oklahoma counties.

quainted with the whole business, and I am confident you will do whatever is right on the occasion.
Colonel Return J. Meigs, Agent for the Department of War.

October 17, 1803.

Brothers: You have just now heard your Father's the President's[8] talk, sent to you and delivered by your brother Colonel Meigs. It is a request from your great Father that a road be opened for the good and benefit of all his children both red and white, and will be more so for our red brothers, as the road will lead through their own land and they will have the benefit of the ferries, houses of entertainment and all opportunities of selling and disposing of their corn, meat and provisions of every kind. The road will be of the same use to yourselves to travel on, to market, and for every other advantage that it can be of to your Brothers the white people; and as the road is to be cut out at the cost and charge of the United States it can't be attended with any difficulty on your part. It is a common practice among all Nations to allow and permit a free intercourse between Nation and Nation, even to those that live at the greatest distance from each other. Our roads, our markets and our country are always open for your people to travel through, and I am confident you will not refuse to permit your near brothers and neighbors having a road, the nearest and most convenient route for them to travel to market with their waggons, to remove with their families, drive their stocks of hogs, cattle, horses and any other article they may wish to carry to market.

Your great Father the President makes you such proposals to your interest and such profitable and advantageous offers, that I am confident that you, a wise and prudent people, cannot by any means disregard. Colonel Meigs has explained to you the earnest desire of the President, and how willing he is to render, and has rendered, to your people every service in his power, and promoted your interests in the same manner and, indeed, more so than to some of his white children. I therefore hope that my red brothers will not discover themselves unfriendly, but do everything in their power to keep the great white chain of peace forever clean and bright. We have now for a long time lived like brothers ought to live, and I hope that no dark cloud will ever intervene to prevent that happy circumstance.

[8] Thomas Jefferson.

Brothers, our beloved Council is now sitting at Knoxville, and that Council has advised me to wait on my brothers the Cherokees; and to assure them that it is the wish of all the good people of Tennessee to always live in peace and friendship with our brothers the red people. We have not forgot you, and I have come here to avail myself of an opportunity of renewing our former friendship and good understanding, and to assure you we shall always feel ourselves happy in your prosperity and well doing; hoping you will raise your families in peace & plenty.

The Chiefs & Warriors of the Cherokee Nation.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives.

It is reported to the Executive that various and great variety of opinion exists among the members composing the two Houses of Legislature respecting a law to be passed, commonly called the land law. I hope I shall not be considered as interfering or intruding on your deliberations in your legislative character and duties; firmly relying it is your intention to pass such laws only as will be most conducive to the welfare and interest of your constitutents.

Permit me therefore to observe that the law now before your Honorable bodies is of the highest importance and magnitude, as the same will less or more concern the whole community. I therefore submit to your better consideration whether or not such a law ought not to be passed with great caution, and in some measure governed and grounded on the principles of existing laws between the two States, that is North Carolina and Tennessee. It is to be feared, and is more than probable, that numerous lawsuits and litigations will be the result, whatever may be its features and principles.[9] Nevertheless, would it not be advisable to steer clear from such a rock, as much as possible, and for which purpose call in the counsel and aid of your State's Attorney General, and let him report for your consideration a bill that might very probably answer many valuable purposes, and by which means prevent innumerable lawsuits and controversies. I presume it is well known to you that the Congress of the United States have frequently resorted to their Attorney on important matters, in order to obtain his advice and information. I therefore presume that immitation of that august body of legislators cannot be unworthy your consideration.

Knoxville, November 1st, 1803.

[9] See letter of date below referring to this legislative act.

Gentlemen of the Senate, and
Gentlemen of the House of Representatives:

Your request of the 20th of October Ultimo was handed me last evening wherein you requested I would lay before the Legislature the number of militia and arms as returned by the Adjutant General. I now hasten to inform you that however necessary such a return may be, it still remains unreported to the executive.
Knoxville, November 3, 1803.

Knoxville November, 7, 1803.

Sir: Yours of the 31st October Ultimo I am duly honored with and the contents will be promptly attended to. I have taken the most effectual measures for raising the five hundred composing the regiment to march with all possible dispatch to the Natchez; and anticipate fully the same will be in motion in a very few days.[10] Several Companies of Volunteer Cavalry, consisting of about thirty men each, would readily engage on this service, but as I have received no information on that head I cannot engage them.

Should there be a call for such, several good companies could readily be employed. From any part of Tennessee to the Natchez is a considerable distance, the season of the year coming on cold and many of the men bare of clothing. I submit it to your con-

[10] When news was received by President Jefferson in July, 1803, of the purchase from Napoleon by the United States of the great Louisiana Territory, he took steps to hedge against the protest of the Spanish government against the right of France to transfer that region. The president feared that Spain, yet in possession of New Orleans, would refuse to surrender the territory; and he determined that, if necessary, force should be used to compel compliance on the part of Spain. The national government on October 31 sent a message to Governor Sevier asking that 500 mounted men be immediately embodied in Middle Tennessee to aid, if necessary, in taking possession of the Louisiana Territory and New Orleans; and that they march at once to Natchez. This letter is Sevier's reply. The same mail or express carried to General Jackson, so recently raised to the major-generalship of Tennessee militia, news that raised his ire: that he was not to have the command or naming of the commander of the expedition. The history of the expedition led by Col. George Dorherty, of Jefferson county, was for the first time told in Samuel C. Williams' "Tennessee's First Military Expedition," *Tenn. Hist. Mag.*, VIII, 171-191. As to the 1500 additional men to be raised and held in reserve: Thomas Embree, father of Elihu Embree, later editor of the *Emancipator* of Jonesboro, wrote from his home on Little Limestone in Washington county to President Jefferson, January 3, 1804, about the confusion and distress resulting from forcing out the militia and fining those who would not obey the call and saying that there was a controversy whether the president's order authorized force, etc. Jefferson Papers, Library of Congress.

sideration whether it might not be proper to order the troops one month's pay in advance.

I shall proceed and fully expect they can be in readiness by the twentieth of December.
The Honorable H. Dearborn,
Secretary of the Department of War.

Knoxville, November 19, 1803.

Sir: I do myself the honor of inclosing to your Excellency an act passed by our Legislature, entitled "An Act to ascertain and establish the true boundary line between this State and the State of Kentucky."[11] Permit me to inform you, sir, that so soon as your Legislature may take the necessary measures in passing a similar and reciprocal law that the Executive of this State will immediately cooperate in having the boundary line extended and designated.
His Excellency The Governor of The State of Kentucky.

Circular [In Part]

....It is well known to the Executive that no act he can do will give a certain party satisfaction,[12] and the better he may do the greater will be their disquietude, nor will he consider it as any part of his duty to study the gratification of any particular party, or set of men, for the sake of giving appointments; but it will be his care and determination to promote and protect, so far as in his power, the honor and dignity of the United Government, firmly believing that whenever the plans and salutary measures of the present administration should unfortunately fail that the liberties

[11] This effort to establish and mark the boundary line between Tennessee and Kentucky failed, as did later efforts in 1815 and 1817. Kentucky was averse to making any agreement that would place the line north of 36 degrees, and 30 minutes—the line fixed by the colonial charter of North Carolina. W. G. Garrett, "Northern Boundary Line of Tennessee," *Amer. Hist. Mag.* (Nashville), VI, 80.

[12] The reference is to Andrew Jackson, who on November 12 wrote to the war department reflecting upon Sevier's motives, and clearly indicating his own umbrage. Jackson predicted a serious delay in the embodying of the troops, "their ardor abated by the mode the Governor has adopted in his selection of officers." Jackson assured the secretary of war: "I can say with certainty that it would have been a pleasing tour to the militia of this district, when commanded by an officer in whom they had confidence, to march—to chastise the Dons, etc." He then tendered his own services in the field—doubtless as such officer who could command confidence. Jackson and his partisans were able to prevent the full five hundred being raised in Middle Tennessee and the remnant was embodied in East Tennessee. See, also, J. S. Bassett (ed.), *Correspondence of Andrew Jackson* (Washington, 1926), I, 76 *et seq.* In this matter Jackson, rather than Sevier, showed to disadvantage.

and independence of the States will become tottering; and it is sincerely hoped that all those that are its friends will cheerfully support its measures, and not cavil about the propriety of appointing a few officers, which cannot give much weight in the great scale of our present national concerns, be their talents what they may.

I am informed it has been said that a certain officer of the rank of Colonel, ought not to have condescended to take a Major's command. Such an observation illy corresponds with the patriotic zeal of '76, Remember the brave Gates offered to take a Captain's command, and how many others followed the noble example; and we have recent instances that princes of the royal blood have accepted subalterns' commands. When a country becomes endangered, lying at home waiting for command is by no means the way to protect or rescue it, the corporal or private that turns into the field to face the enemy of his country is of more service to the State than the general in the line of inaction. Another complaint about the officers is that they are not called for according to routine. In answer, I will barely state that no detail of routine of any officers has yet been returned; and, from the present deranged state of our militia, the great alterations lately made in the law, and by removals, resignations and other casualties, it would be as difficult, and take as long time, to ascertain the routine were there any, as to raise the five hundred men so earnestly requested. Provided, it had not appeared of importance of the good of the public to lose time enquiring after routine but select unexceptional characters, and send them on to the scene of action. Neither does it appear that the Secretary at War expected that any inquiry about this mode was necessary to be made, when he particularly requested the Governor to make a selection of such officers as could be depended upon to march immediately.

I hope I shall be believed when I take the liberty to assure my fellow citizens that I am as much disposed to favour and indulge every officer agreeably to his rank, grade and past services as any gentleman that appears so much the sticklers of routine, nor have I ever given a vote to promote any unexperienced person in the ranks to the command of every general, and other militia officer in the State and that done, too, in the face of the law and Constitution, see 2d Section of the Militia Law, nor will I ever do so let me or others conjecture his talents and qualifications to be what they may. It would be a curious circumstance if a part of the militia must be called into service (say in Washington County) that

the Governor would have to send to Montgomery to the officer who stood next in routine, and if a sergeant's command was only wanted, and consequently the number of men to some other quarter, according to their rank of companies, giving them perhaps ten times the trouble to march forward and cost the public ten times the sum. Fortunately for the public there is no such a law, and I hope there never will be a Legislature ignorant enough to pass such a one.

JOHN SEVIER

Knoxville, November 26, 1803.

Thomas McCorry, Esquire, Treasurer of the
District of Washington and Hamilton,

Sir: The Assembly have passed an act directing the Governor to purchase a quardrant for the use of the State, for which he is empowered to call upon the treasurer for fifty dollars. I have now an oppertunity of sending to Baltimore for one; and, if there is any money in the treasury, will thank you to let me have it, and I will give you the regular receipt.

Knoxville, 12th January, 1804.

Sir: I have the honor to acknowledge the receipt of your letter of the 13th December Ultimo, with the inclosed copy of an Article of Amendment proposed by Congress to be added to the Constitution of the United States, respecting the election of President and Vice President; to be laid before the Legislature of Tennessee, which will with much pleasure be complied with at their next session; and I entertain no doubt they will readily approve the measure.[13] I tender you assurances of my very high respect and consideration. The President of the United States.

Knoxville, January 12, 1804.

Sir: Your letter of the 26th December Ultimo with its inclosures have duly come to hand. I have no doubt your mission has been perplexing and tedious, but as it is a matter of magnitude and importance it could not be expected to be otherwise than to require

[13] The twelfth amendment to the United States Constitution was ratified by the Tennessee Assembly July 27, 1804, as Sevier predicted. *Documentary History of the Constitution,* II, 408-451; H. V. Ames, *Amendments to the Constitution* (Washington, 1897), 325. The strife incident to the election of Jefferson over Burr, thrown into the House of Representatives in 1801, revealed the inadequacy of the then existing system of electing the president.

time and deliberation. I have written to our senators and representatives in Congress, observing the propriety of having the business taken up as early as possible, in order that the sense of that body may be known by the time our Assembly will be convened, which for the purpose of affording the Agent time to compleat the objects of his mission,[14] as well as for other weighty considerations, the executive is induced to think could not take place before the Monday in next. In procuring transcripts and copies of papers and documents from the State of North Carolina, it is presumed the Agent will pursue a line of economy and frugality, assuring him the treasury at this time is very much drained, and am apprehensive that money can only be obtained with considerable difficulty.

New Orleans was delivered up to the American Agents on the 20th December Ult. If any thing of importance should occur, I shall do myself the pleasure of writing you.
John Overton, Esquire, Agent to North Carolina.

Knoxville, 12 January, 1804.

Gentlemen: You have, ere this will reach you, received full information from our Agent of the transaction of his mission to the Assembly of North Carolina. I need not observe to you the importance of the business that is now transmitted to your care from the Agent; and you will readily discover the propriety of bringing the subject before Congress on as early a day as possible, in order that the sense of that body may be known on the occasion by the time our Legislature will be convened, which the executive intends calling on the Monday in April next. It would be useless to make any further observations as you are acquainted with every circumstance relative to the landed claims of the State of Tennessee.
The Honorable The Senators, and Representatives from Tennessee, in Congress.

Executive Department,
January 29, 1804.

Sir: I have the honor to acknowledge the receipt of your excellency's letter of the 15th December Ultimo, with a copy of the Sec-

[14] This mission of Overton concerned the land records of North Carolina that bore on Tennessee titles. The transcripts he procured were made legal evidence in Tennessee by legislative act.

retary at War's letter on the subject of opening a road between the States of Georgia and Tennessee.

Be assured, sir, that such a road is contemplated to answer many good and reciprocal advantages, to be desired by the two States, but at the same time the Executive of Tennessee has not any instructions on that subject from the Legislature. That body will shortly be convened, when the subject matter will be laid before them, and I shall do myself the honor of immediately communicating to your Excellency the result of their deliberations.

His Excellency The Governor of Georgia.

Executive Department,
February 1, 1804.

Sir: With much embarrassment, trouble and fatigue, and no little expense to Mr. Maclin and myself, the mounted infantry called for from the State of Tennessee by the President were all, or a very few lacking, sent forward to Natchez, agreeably to the request of the Secretary of the War department. I do assure you, sir, it has been one of the most arduous tasks that ever engaged my attention, nor could anything have occurred I had more at heart. Every obsticle has been thrown in the way that malice, envy and disaffection could devise or invent, and nothing could have surmounted the difficulty but the ardor and zeal of the real friends to the American and our own administration.

William Maclin, Secretary of State, has contributed in an extraordinary degree to the success of the expedition, and in case he had not taken the trouble upon himself to visit Mero, and attend to the business personally it must inevitably have failed. I can't suppose that less than four times the number were engaged from the commencement before they marched, owing to the insinuations and false reports of designing and malicious persons, who were constantly fabricating every thing in their power to defeat the march of the mounted infantry.

I hope and trust that the President will pay the men generously, and not suffer them to be put off with less than the mounted infantry of this State have been accustomed to receive, which have been to privates seventy-five cents per day and forage and rations found by the public; and I most seriously entreat of our members in Congress to use their interest on this head. The greater part

of the provisional fifteen hundred have been raised, mustered and enrolled, and I think it just that those should be allowed something as compensation for their trouble and preparation, which I make no doubt the President will not hesitate about, especially when considering how little is expended out of the two millions appropriated for the purpose of taking possession of Louisiana.
The Honorables William Cocke, Joseph Anderson, John Rhea, and George W. Campbell.

Knoxville, February 8, 1804.

Sir: I have been duly honored with your favour of the 16th January Ultimo. The five hundred mounted infantry except one company marched from Tennessee to Natchez as soon as possible under existing circumstances. The other Company followed in December, and as I have been informed arrived at Natchez about the middle of January. Eight companies of as brave militia, in my opinion, as ever went into the field—perhaps one or two of the Companies are not compleat. I have been frequently informed that they arrived at Natchez in health and good order, but found a scarcity of provisions marching through such a long tedious wilderness, and of course must have suffered for want of provisions, both themselves and horses. It would be painful to myself and troublesome to you, sir, for me to give a detail of the perplexity myself and William Maclin, Secretary of State, have underwent in endeavouring to dispatch the mounted infantry in due time; and suffer me to say my attention was never more carefully engaged on any occasion. Nor has any thing occured since the Revolution I have had more at heart. I am compelled to inform you that every obsticle has been thrown in the way that malice and disaffection could devise, by inventing and circulating reports of the blackest hue and deepest dye —they have not spared the President himself, and from him down every subordinate officer has been loaded with their calumny. They have resorted to every pitiful objection alledging, it was not lawful to send men out of the State; that the officers were not selected according to rotation, seniority, rank law etc; and the fact was we were nearly one month of time immediately after your request came forward without any militia law being legally in force and use. Therefore the Executive resorted to such expedients that induced him to believe would best promote the expedition, with the least possible delay. I prevailed on William Maclin, Secretary of State, to immediately proceed to Nashville in order to make use of every

effort to promote the business, whose zeal, activity and address have contributed very essentially to raising the troops, without which the expedition must inevitably have failed. Mr. Maclin has expended a considerable sum on the occasion, which I hope will be refunded by the General Government, otherwise he will be greatly the looser, for our Legislature refused to appropriate anything towards defraying the smallest contingency. The troops are now on their march home and are daily expected to arrive, probably have reached Nashville already. So soon as they do arrive muster and pay rolls agreeably to your request will be forwarded, and I make no doubt the men will be paid the usual wages mounted infantry in this country have been accustomed to receive (to wit) seventy five cents per day with rations and forage furnished them—this is what they will expect, and what will perfectly satisfy them and nothing less. And I earnestly hope nothing less will be offered them; and on considering how little will be expended out of the sum appropriated for the purpose of taking possession of that country, I entertain no doubt the Executive will not hesitate to pay them the customary wages.

With respect to the organization of the fifteen hundred provisional troops, I was unwilling, for a time, to communicate any thing on the subject, fearing it would miscarry, as opposition was greater on that head than the former; however I have the pleasure to inform you that the greater part of the Companies are nearly full and compleat, and further beg leave to observe that now the people have become greatly undeceived. Were there a real call for their services they would turn out with great alacrity. Permit me to observe that the character chiefly in opposition on the present occasion, was in March 1803 runing mad to flock down and take possession of Orleans at all events, and complaining against Government, for not suffering it to be done. I mention this to shew how uniformly these friends of order and regularity go together.

Your letter of 21st November Ultimo, with a copy of the treaty with the Cherokees respecting the road therein enclosed came duly to hand, and have accordingly addressed the Governor of Georgia on the subject. The Executive of this State has not as yet made any appointment of commissioners, neither is he possessed of funds for such a purpose. Would be glad to know whether the General Government contemplates paying commissioners for exploring and laying off the proper way for the road to be opened provided that

is intended. I am of opinion no other dificulty would arise on the part of Tennessee.

The Honorable H. Dearborn, Secretary of the Department of War,

Warriors and Chiefs of the Cherokee Nation:

I am sorry to hear that some of our brothers, the red people, have lately been very much abused by a white man. I have lately received a letter from one of the Colonels of the County where the mischief was done. It was done in Buncombe County, North Carolina, and not by any of the people of Tennessee. Therefore I shall expect that no danger or animosity will take place on the occasion between your people and the people of Tennessee. The officer has sent me a description of the man, and his name. The murderer has fled and it is expected has made for this State. If I can hear of him you may be assured I will certainly have him apprehended, and taken back to where he committed the murder, in order that he may be punished.

Our Father the President has consigned the business respecting the road to be opened through your Nation into the State of Georgia to the Governor of that State and the Governor of Tennessee, together with your beloved Agent, Colonel Meigs, and such of your own chiefs as your Nation may think proper to appoint. When we may agree on the place for commissioners to meet, and have all things arranged, you will be informed and notified by Colonel Meigs in time to be prepared to enter upon the business agreeably to the agreement made with the United States.

Knoxville, February 9th, 1804.

Knoxville, 22 January, 1804.

Dear Sir: I expect you will all soon return, if you are not already on the way. I have not as yet received any instructions to dismiss the 1500, tho daily expect such. The President has expressed great pleasure and satisfaction at the prompt manner in which the Mounted Infantry turned out, and I make no doubt he will order them to be handsomely paid; and you may assure those of your Regiment that every thing in the compass of my power shall be done to that end. Many complaints were sent forward to the President against my conduct on the subject, tho I have the pleasure to inform

you that it neither did them any credit nor myself any damage.
Colonel Doherty.[15]

Executive Office of State, 2 February, 1804.

Sir: On the 28th instant I received official information from the Secretary of the War department, that the President of the U. States on the 15 instant had received authentic information that New Orleans with its immediate dependencies was amicably given up to the American agents, in consequence of which the services of the fifteen hundred men required from Tennessee would be dispensed with. You will please, without delay, cause regular and proper returns to be made to this Department who have been regularly mustered and enrolled in companies agreably to my instruction to the Brigadier Generals, issued November last, in order that the same may be transmitted to the War office in due time. The Mounted Infantry that proceeded on to Natchez are all on their return, and probably in a few days, will reach their respective homes. I am requested by the President of the U. States to assure them he feels the highest respect and regard for all those who was ready to render their services at the call of their Country. Through the extraordinary wisdom and political conduct of the Executive of our General Government there is an immense and almost boundless acquisition of territory obtained, the value of which is incalculable, and on which acquirement the Western Country has now secured to them and their latest posterity every natural and commercial advantage that we could ever hope or wish for; and on this great and ever memorable event, I offer you and my fellow Citizens my sincere and warmest congratulations.
The Brigadier Generals.

Knoxville, 6th February, 1804.

Sir: As soon as you return to Nashville with your Regiment of Mounted Infantry you will please have those Companies belonging to Mero District mustered out of service, and those belonging to

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15 George Dorherty was a supporter of the State of Franklin and a warm friend of Sevier. For sketch of his career, see S. C. Williams, *History of the Lost State of Franklin* (rev. ed., New York, 1933), 317-319. The Sons and Daughters of the American Revolution may not stand acquit until at least a modest monument marks the grave of Gen. Dorherty, near Dandridge, Tennessee.

the District of Washington and Hamilton,[16] as soon as they have returned to their respective Districts. You will please call on Bennet Searcy, Esquire,[17] to muster out of service the horses as well as the men belonging to Mero District, and request him to forward lists of the same certified by himself to the office of the Secretary of this State, as soon thereafter as may be practicable.

Your good disposition towards the brave men who have so readily offered their services will not suffer you to neglect to have regular and well authenticated accounts made out, in order that your Regiment may have every species of allowance to which they are entitled. I am requested by the President of the United States to inform you, and through you the officers and privates of your Regiment, that he feels the highest regard and respect for all those who have rendered their services at their Country's call.

The Secretary of the War Department has been wrote to on the subject of compensation to your Regiment. He requests that muster and pay rolls, may be forwarded immediately after your return, that payment may be made without delay, which information you will please give the Regiment.

Colo. Doherty.

P. S. Please inform Capt. Stump[18] that I entertain a due sense of his patriotic services, and for which I beg him to accept my thanks.

Mr. Maclin informed me that he had Henry Dyer,[19] Henry Con-

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16 At first it was intended to enlist the entire command of 500 in Middle Tennessee (Mero District), but the opposition of General Jackson and his party operated delays in raising the required number; and volunteers were enlisted from East Tennessee (Washington and Hamilton districts). The East Tennessee companies were under the command of Captains Nathaniel Taylor, of Carter county, George W. Sevier, of Washington county, son of Governor Sevier, and probably Gilbert Christian Russell.

17 Searcy was an early resident of Nashville; appointed in 1790 by Gov. William Blount, of Southwest Territory, solicitor for the counties of Davidson, Sumner, and Tennessee; and the following year he was appointed by Gov. Blount, clerk and master in equity for Mero District.

18 Capt. James Stump was a son of Frederick Stump, one of the first residents of the Cumberland settlement. He later took part in the Creek War of 1813 under Andrew Jackson. For note on the Stump family, see S. C. Williams (ed.), *Early Travels in the Tennessee Country* (Johnson City, 1928), 508-9.

19 Robert Henry Dyer became a man of distinction. He is frequently referred to as Henry Dyer. The county of Dyer and the city of Dyersburg in Tennessee bear his name. His career is sketched in Williams, *Beginnings of West Tennessee,* 142. Before his removal to West Tennessee, he represented the counties of Bedford and Rutherford in the State Senate of 1815.

way[20] and John Maclin[21] mustered into service, as part of Captain John Murry's Company, and detained them to assist him in the business of the Regiment etc.; you will therefore please direct them to be mustered out of service.

Knoxville, 16 February, 1804.

Dear Sir: This will be handed you by Capt. Saml. Gordon of Williamson County, who has been very servicable and active in recovering stolen property from the Creek Indians. I have good reasons to believe that Capt. Gordon is a person of good character and very suitable for such a purpose, and so far as I am vested with powers have authorized him to return to the Creek Nation for the purpose of obtaining any stolen or other property that he may find in the said Nation. I do not apprehend that the Executive of Tennessee has full and compleat authority on this head; therefore, beg leave to refer Captain Gordon to you, requesting you will please to afford him every assistance you may deem necessary and consistent.
P. S. Captain Gordon has a desire of taking with him a few rifles and some powder for sale; your permit will oblige.
Colonel Meigs.

Knoxville, 25th February, 1804.

Sir: I expect Colonel Doherty will be here in a few days with that part of the regiment of Mounted Infantry which marched under his command from the Districts of Washington and Hamilton, and as soon as he arrives you will please muster those Companies that are with him out of the service of the United States.

Supposing that it would be inconvenient for you to return to the District of Mero, have given directions for the Companies that marched from that District to be mustered out of service by Bennet Searcy, Esquire, and expect they are already discharged.

You will as soon as you can with convenience after the regiment is discharged from service make out triplicate muster and pay rolls for them, duplicates of each to be forwarded to the office of the Department of War, and the triplicates to be kept in the State.
William Maclin.

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[20] For sketch of Henry Conway, see Williams, *History of the Lost State of Franklin* (rev. ed.), 310. The Henry mentioned here was probably his son, Henry W., who also served under Gen. Jackson in the War of 1812. *Ibid.*, 311.

[21] Son of William Maclin, secretary of state. John M. lived in Carter, and later (after 1807) in Davidson county, Tennessee. For sketch, see O. L. Bond, *Family Chronicle and Kinship Book* (Nashville, 1928), 477-79.

Knoxville, 9 March, 1804.

Sir: Yours of the 13 February ult., I have been duly honored with. It affords me pleasure to discover you are in such forwardness with your business and that you expect to have the same compleated by the first day of April. I am sorry you are oblidged to fatague yourself in so great a degree, but have no doubt the Assembly will consider your services and make you an ample allowance for all your trouble. It gives me pain to find you are in want money, especially when it cannot be forwarded. Mr. Maclin and myself have made every exertion to procure some bank notes to send you, and as yet find it out of our power. There is not one solitary cent in the treasury at Knoxville tho I suppose we could procure the sum you have wrote for provided it could be conveyed with certainty to Raleigh. I am much relieved about the business since being informed that Mr. Brown had forwarded to you the sum of one hundred dollars; nevertheless, that will not prevent the sum being transmitted to you which you request, provided it can be procured in time. I think no doubt can remain that the Assembly will be satisfied with your report and not require your personal attendance, knowing the great length of time you have been from your own private affairs. In respect to the transcrips of the papers of Adair's office,[22] it is my opinion that every matter relative to them, is as necessary to be brought forward as those of any other office, as they wholly relate to the State of Tennessee. I make no doubt you have been advised that there already appears to be considerable difficulty in obtaining the assent of Congress to the North Carolina Act: and, should it finally fail, the embarrassed situation of our land affairs will readily present itself to you.

John Overton, Esq'r.

Knoxville, 10 April, 1804.

Sir: I have the honor of acknowledgeing the receipt of your duplicate, and am surprised to find my answer to your first had not went to hand, tho trust ere this will reach you it will have arrived. At the time I did myself the honor to write, I had strong expectations our Assembly would have been convened, but the object then contemplated to occasion the meeting have since been dispensed with, and it is now very uncertain whether our Assembly will be in ses-

[22] John Adair, early entry taker. J. G. M. Ramsey, *Annals of Tennessee . . .* (Charleston, 1853), *passim.*

sion shortly or not. Nevertheless, I have sanguine hopes that we shall be able to meet you on the business of the road, it being ardently wished for by a very large number of respectable citizens of Tennessee who are now entering on measures to effect the purpose. So soon as the plan is regulated I shall do myself the honor of communicating to your Excellency immediately. Enclosed is a duplicate of my answer to your Excellency's first letter.
Governor of Georgia.

Knoxville, 25 July, 1804.

Gentlemen: I have been duly honored with your note of this date and beg leave to inform you that the Executive will with pleasure do himself the honor of receiving any communication you may think proper to exhibit tomorrow at 10 oclock, A. M. or at any other time you may find convenient.
Hon'ble William King, Francis Preston, and
Henry St. John Dixon.[23]

Knoxville, 30 July, 1804.

Sir: Permit me to observe in the course of your negociation with the Virginia Mission it may be proper to observe, should there be any proposition for demolishing the dam,[24] after a given time, that an accession to such a proposition would tend wholly to discourage and prevent the owner from improving and preparing his works for future purposes, and would tend to obstruct the benefit and advantage of such a work and useful factory within our own Government.

It may be the interest of certain individuals that factorys of this kind within Tennessee might be demolished. And, lastly, it is improper and unlawful to injure or damage the private property of any person without making just and adequate compensation. This

[23] Preston, of this commission, married Sarah B. Campbell, only daughter of Gen. William Campbell, of Revolutionary fame. This daughter inherited the great salt works (Saltville, Va.), where Preston lived at the time. Doubtless it was to gain better access to the Southern markets for the salt produced at Saltville that the commission was appointed. United States Senator Wm. C. Preston, of South Carolina, was the son of this couple, three sons-in-law were governors, one of South Carolina and two of Virginia. Francis Preston was a member of Congress, 1793-1797.

Wm. King was a wealthy merchant of Abingdon, Virginia.

Dixon, also of Abingdon, later was a soldier in the War of 1812.

[24] Probably the dam used in creating water-power for the textile mill near Kingsport, the mill then standing on North Fork of Holston just above its junction with the South Fork.

is intended as a private communication.
I beg not to be understood as having any objections to the navigation of the river.
Colo. McMinn,[25] Char. of Committee.

Knoxville, August 3d, 1804.

Gentlemen: I have been duly honored with yours of this date, enclosing the letter from the Governor of Virginia, which letter I have laid before the Legislature.
Francis Preston and Wm. King, Esquires.

Knoxville, 22 Sept., 1804.

Gentlemen: Your letter of this day together with your report and other documents relative to laying out of the roads I have been duly honored with, which shall be duly attended to by the Executive, who begs leave to offer you in behalf of the State his thanks for your great assiduity and promptitude in laying off and demarkation of the roads leading through part of the Cherokee Nation into the State of Georgia.
Colonel Jos. McMinn, Colonel Saml Weir, and
Major John Cowan, commissioners.

Knoxville, 8th October, 1804.

Sir: In compliance with a resolution of the General Assembly of this State (a copy of which is herewith enclosed) I do my self the honor to transmit to your Excellency a copy of the Act passed on the 13th day of November 1801, entitled "An Act to authorise the Court of Sevier County to open a certain road therein mentioned, and fix a turnpike or turnpikes thereon,"[26] which you will be pleased to lay before the Legislature of the State over which you preside, at their next session.

His Excellency, James Turner, Esquire, Governor of North Carolina.

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[25] Joseph McMinn, later governor.

[26] An interstate highway now connecting parts of the Great Smoky Mountains National Park. The "turn-pike" waited 134 years for its construction. Samuel Wear was doubtless the moving spirit in 1804.

Knoxville, 28 October, 1804.

Sir: I have the honor to acknowledge the receipt of your letter dated the 24th Sept. Ult., in which you notify the Executive that at the last session of Congress, the amendment to the Constitution of the United States, respecting the manner of voting for President and Vice President of the United States, has been ratified by the legislatures of three fourths of the several States: (to wit) by those of Vermont, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, Ohio, Kentucky, Tennessee, North Carolina, So. Carolina and Georgia. The Executive being at the Indian Treaty about the time of the arrival of your letter I hope will appologize sufficiently for not doing myself the honor of forwarding a more early acknowledgement.

The Honorable James Madison, Secretary of State.

Marble Springs, 1 Jan'y, 1805.

Gentlemen: I have been duly honored with your letter of the 1st instant, and much pleased to find Virginia has been so ready to cooperate in opening the navigation of the North fork of Holston. I shall immediately communicate the subject to the commissioners appointed on the part of Tennessee, and will with great pleasure do every thing in the power of the Executive to hasten on the business.

Fran's Preston and William King, Esqrs.

Knoxville, 17th January, 1805.

Gentlemen: I do myself the honor of enclosing you a copy of the Act for opening the navigation of the No. Fork of Holston river. By an Act of the Virginia Legislature on the same subject, Francis Preston, William King and Henry St John Dixon, Esq'rs are appointed Commissioners on the part of that State, who will act in conjunction with you. It is expected and earnestly hoped you will take the earliest opportunity of carrying into effect so desirable and useful an object, and endeavour as soon as possible to remove the obstructions that have so long been complained of by our neighbouring citizens living in the State of Virginia. Every aid in the power of the Executive will be afforded you on the occasion.

Walter King,[27] John Alexander and Wm. Bradley, Esqrs.

[27] Walter King, of this commission, married Nancy, daughter of Governor Sevier, and operated iron works near Kingsport, Tenn. Governor Austin A. King, of Missouri, was their son.

Knoxville, 17th January, 1805.

Dear Sir: Adam Peck, Esquire,[28] I expect has finished cutting the road on the part of Tennessee that leads through the Nation into the State of Georgia. The law impowers the Governor to appoint a Commissioner to review the road and make report whether the same is opened and cut as the law contemplates. I have a wish that you may be the person provided you can make it convenient to accept the appointment, of which I will thank you to notify me as early as possible, and should you think proper to act you may prepare yourself as soon as convenient and set out, taking Knoxville in your route to be furnished with the necessary papers and documents; and also call on Mr. Peck on your way down as he I expect will accompany the Commissioner while he is reviewing.
Colonel Lillard.[29]

Knoxville, 18 February, 1805.

Colo. Wm. Lillard: Together with this you will receive your appointment of Commissioner to view the road lately cut and opened by Adam Peck, Esq'r., leading from Tellico block house and South West Point through the Indian Nation into the State of Georgia.

For your instruction you will adhere to the Act of Assembly passed on the subject, the report of the Commissioners appointed to lay out and mark off the road, Mr. Peck's contract with the State, and such farther instructions as he may have received from the Executive touching the same. Copies of the whole you will also herewith receive.

It is expected you will make all possible diligence in viewing and ascertaining how far Mr. Peck has complied with his contract, and whether or not the aforesaid road is opened and cleared out agreeably thereto, and as contemplated by the Act of the Legislature and make report of the same to the Executive as soon as may be practicable.

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[28] Adam Peck, of Jefferson county, was a member of the first and second legislatures of the State of Tennessee. He was the father of Judge Jacob Peck, of the Tennessee supreme court, and Judge J. H. Peck, U. S. district judge of Missouri.

[29] Wm. Lillard, of Cocke county, represented Jefferson county (before the organization of Cocke) in the legislature of 1797, and Cocke county in the General Assemblies of 1801, 1803, 1805, 1807, 1809, and 1815. He was one of the early settlers of Cocke county, and in 1783 assisted in organizing the Pigeon River men to strike a blow against the Cherokees east of the Alleghanies.

Knoxville, 21st February, 1805.

Dear Sir: I have to acknowledge the receipt of your letter dated the 15th Ult., and have carefully examined the contents. With respect to the laws of the United States touching Indian affairs I make no doubt you are as well acquainted with them as myself, and also the treaties that have been made with the Cherokee Indians. If the persons have conducted in the manner you have been pleased to describe, I know of no law prohibiting such a conduct, nor do I believe that the General Government would ever notice or disapprobate such a measure; and as to my own part I am inclined to think it a humane and benevolent act, and such a one I make no doubt has rendered many poor distressed individuals much comfort and relief; but, my friend, experience has taught you as well as myself that few, and too few, pay any regard to the sufferings of their fellow creatures. Permit me to advise your friends how necessary it is to be cautious and not expose themselves to any liability of the law, for if they do you may be assured there are always persons to be found mean enough to distress them. In a country like yours the first adventurers are not of the richest class of citizens and, if they should be dragged off to Nashville before a tribunal that perhaps would not have much lenity for their conditions, they might suffer greatly were they even not found guilty of any trespass. You know lawyers and other court officers will have their fees. I throw out these hints, as it is my wish your neighbors may not involve themselves, but be cautiously guarded against the dangers of expensive law suits. With respect to furnishing provisions on the road, it is my opinion that all that could be carried would not be sufficient together with the supplies furnished by the keepers of the stands, and I don't see why there should be any discontent on the subject. The Indians attend the road constantly; is it not as free for the passage of the whites? Or are the Indians entitled to greater privileges?

Elijah Chism, Esq.,[30] Jackson County.

Knoxville, 16th June, 1805.

Sir: I have done myself the honor of addressing several letters to you on the subject of the treaty, requesting to be informed when and where you had concluded to have the same held, but as yet have not the pleasure of hearing any thing from you on that sub-

[30] Chisum had resided in Powell's Valley before his removal to Jackson county, which he represented in the General Assembly of 1805.

ject, which have led me to conclude that either yours or my letters, have miscarried. Permit me sir to solicit you will have the goodness to drop me a line informing when and where the treaty is to be held, provided the same is agreed upon.
Colonel Return J. Meigs, Agent for the Department of War.

Knoxville, June 27, 1805.

Sir: John Stewart who has lately been demanded by your Excellency as a fugitive from the justice of the State over which you preside, has been arrested and is now in custody of the Sheriff of Sumner County. I have instructed the Sheriff to deliver him to such person as may be authorized to receive and conduct him to Kentucky, and you will be pleased to appoint a person for that purpose at as early a day as may be convenient.
His Excellency, The Governor of Kentucky.

Knoxville, 12 August, 1805.

Sir: Your letter of the 25 July Ultimo is now before me. Unfortunately at the time of the arrival I was absent from home, otherwise I should have done myself the honor of replying immediately on the receipt of the same. I most cordially concur with you that the Indian aggressors ought to make restitution to McNabb[31] for the damage they have done him, and you may assure yourself that I shall take the earliest measures to have the same effected. And also that they give a satisfactory explanation for the daring insult offered to the citizens of our Government.
Colonel James Scott, of Blount County.[52]

Knoxville, 13 August, 1805.

Sir: The State of Tennessee is about entering into a contract with the agent of Phineas Miller and Eli Whitney, relative to the patent right of a machine or new invention for cleaning cotton, commonly called the saw gin;[33] and the Legislature has requested the

[31] John McNabb, first major of Franklin State militia for Caswell (Jefferson) county, in 1785; served as justice of the peace in Greene and Jefferson counties.
[32] For Col. Scott's record: Ramsey *Annals*, 564, 573, 644, 704. He also represented his county in the legislatures of 1799, 1803, 1805, and 1807.
[33] At this time cotton was raised in several counties in Middle Tennessee, and the state government was alert to the improved conditions promised by the Whitney gin, just recently invented. The great change wrought in the entire South by this invention is a familiar story. See entry under date of June 15, 1807, *sub*.

Executive to use all the means in his power to procure information on the subject. Must therefore request the favour of your Excellency to inform me what is the conceived opinion in the State over which you preside respecting the said Miller and Whitney's right to the said machine, and what has been the event of the suits heretofore brought by Miller and Whitney against the citizens of the State of Georgia; and will thank you for such other information on the subject as you may think will be useful to us in making the contract.

Our Legislature will convene about the middle of next month, and I should be happy to receive your answer against that time, or as soon thereafter as may be convenient.

His Excellency, The Governor of Georgia.

Knoxville, 29 Nov., 1805.

Sir: The Executive of Tennessee has been recently called on in a very pressing manner by the Secretary of the Department of War for a return of the militia of this State by the first day of January next.

I have to request you will please give directions for the making a return of the militia of your division to my office on or before the first day of January aforesaid if practicable; if not, as soon thereafter as possible. Also that you will please further to direct that the militia of your division without delay be placed and held in the most Compleat and perfect order.

Major Generals.

Knoxville, December 17th, 1805.

Sir: I have reasons to believe that Allen Twitty, Abraham Collins, James Rutherford and Read have gone into the Cherokee Nation with a considerable number of counterfit bank notes, with an intention of passing them to persons resident in the Nation. And also have reasons to believe that they passed some of their notes, which were counterfeits, to citizens of Blount County as they were on their way to the Nation. If it should be in your power I think it will be well to have them apprehended and sent to this place in order that their conduct may be inquired into by the authority of the United States. It is reported that Twitty and Collins have escaped from North Carolina; and is thought that Rutherford and Read are connected with them in making and passing their notes.

If it should be in your power to have any of them apprehended while the bearer, Mr. James Edenton, is in the Nation, he will assist in conducting them to this place.

Gentlemen of the Senate, and Gentlemen of the House of Representatives:

I do myself the honor to lay before your honorable Bodies, for your perusal, a letter which I have lately received from his Excellency, the Governor of North Carolina, on the subject of documents relating to the land business of this State.

Knoxville, August 20th, 1806.[34]

Circular

Knoxville, 15th May, 1807.

Sir: Inclosed is a copy of an act of Congress, "Authorizing the President of the United States to accept the services of a number of volunteer companies, not exceeding thirty thousand men." Should a collision take place with any of our neighbours,[35] this number will not be more than adquate to defensive measures for a very short period; and should our State, or any other, be deficient in its quota of volunteers, recourse must be had to the disagreeable and usual mode of drafting. I therefore hope and request that every officer, and all good citizens of the State will use their utmost diligence and influence in procuring and engaging as many volunteers as the nature of the case will afford. I beg leave to recommend engaging as many cavalry and mounted infantry as possible, as that kind of service is most familiar with the practice and custom heretofore pursued by the people of this country, a service that is performed with more dispatch, safety and ease to the soldier and also commands a better pay and remuneration for the dangers and fatigues they generally have to encounter. The sooner troops of this kind are engaged, the more certain will they be of being classed in the cavalry department. With respect to officering and organizing those who shall become engaged, the act itself will be your guide, and as it is necessary and desired that I should be kept informed of the progress of this business, I pray all those engaged in

[34] This is the only entry in the Journal for 1806 as it is preserved. The resignation of Wm. Maclin as secretary of state may account for this hiatus.

[35] The growing tension between Great Britain and this country led to this measure on the part of Congress. See message of September 24, 1807, *sub.*

raising volunteers, to report, from time to time to George Wilson,[36] the Adjutant General, who will correspond with them on all the details, arising out of it. I would have made this communication more early, had it not been obvious that the public mind was in some degree agitated, occasioned by false information, signifying that many of the people were engaged in an unlawful enterprize, and entering on some illegal expedition, greatly to the injury and prejudice of the Union. I was at the time of this alarm, and at all times since, fully sensible of the falsity of such reports so far as respects Tennessee, and did not feel myself justifiable in giving my fellow citizens any unnecessary alarm and trouble, by calling them from their homes and necessary employments, on vague, spurious and incorrect information. The people of Tennessee have sufficiently evidenced to the world their firm attachment to the United States, and will always, I hope, give as strong proofs that they are not, nor ever will become, the dupes or puppets of a factious party. On the present occasion, I flatter myself they will signalize themselves the real supporters and defenders of their country, and I have the highest confidence in their patriotic spirit and bravery; and that no period can be so short as to prevent them from rendering their country the most ample and competent aid, to effectually check and render abortive, every machination or attack that may be medetated by its enemies. In order the more speedily to circulate and promulgate this communication, I have forwarded to each of the Majors and Brigadier Generals, and also each field officer of the respective Counties, a similar communication and copy of the law.

To the Treasurers or either of them of the Districts of East and West Tennessee:

By an act passed by the General Assembly on the 13th day of September, 1806, entitled "An act to carry into effect a contract

[36] George Wilson, the printer and publisher, at the age of twenty-one, removed from Virginia to Knoxville and joined the state's first printer in the establishment of the new *Impartial Observer,* in 1799. That partnership was dissolved in November, 1800, Wilson going to Jonesboro where he became that town's first printer. From 1801 to 1804 he conducted there the *Newspaper and Washington Advertiser.* At the end of 1804 Wilson returned to Knoxville, where he began *Wilson's Knoxville Gazette,* which took the place of Roulstone's old newspaper, the *Knoxville Gazette.* At this period he was serving as adjutant-general of militia. In 1818 Wilson removed to Nashville, where he published the *Nashville Gazette.* He there printed John Haywood's *Natural and Aboriginal History of Tennessee* (1823), the first work relating to the history of the state. See further, J. T. McGill, "George Wilson," in *Tenn. Hist. Mag.,* IV, 157-60.

between the State of Tennessee and Eli Whitney, and Phenias Miller" it appears that the Legislature are fully satisfied that the aforesaid Whitney and Miller are the true and lawful proprietors of the machine or new invention for cleaning cotton, commonly called the saw gin. The Executive is not in possession of any facts authorizing delay or further objections why they should not receive their money agreeably to contract, as stipulated by the act of Assembly passed October the 22nd day 1803, entitled "An Act to purchase for the state of Tennessee the patent right of Eli Whitney and Phineas Miller, of a new invention for cleaning cotton, commonly called the saw gin." It is therefore my opinion that the Treasurers of their respective departments pay unto Russell Goodrich, legal Attorney of Whitney and Miller, agreeably to the aforesaid contract. Given under my hand in Knoxville the 15th day of June, 1807.

Mr. Speaker and Gentlemen of the Senate. And Mr. Speaker and Gentlemen of the House of Representatives:

It would have afforded me, fellow citizens, much greater satisfaction to communicate to you in the early day of your meeting, circumstances of a more agreeable and satisfactory nature than I have at the present important crisis. Since your last separation very important and unexpected events have transpired and taken place. You have heard of the late unprovoked attack made upon the United States frigate the Chesapeake by the British ship of war The Leopard,[37] of the murder of our fellow citizens and degradation of the American flag together with other insults and outrages, committed on board the said frigate. It would be useless taking up your time in further detailing the particulars of the unprecedented and unprovoked outrage in consequence of which the President of the United States has necessarily requested this State's quota of militia. The necessary instructions have long since been issued and I inform you, with great pleasure, of the promptitude and alacrity with which the citizens of the State are tendering their services in defence of their injured and insulted country. It does them great honor and entitles them to the respect and confidence of their fellow citizens of their

[37] This attack, late in June, 1807, aroused the people of Tennessee when news reached the state. A public meeting was held at Nashville, Gen. James Winchester presiding, and Judge John Overton, Gen. Andrew Jackson, Jenkin Whiteside and Gen. James Robertson speaking. The press of the state was loud in denunciation of the outrage; and Tennesseans responded promptly to the call for volunteers. Instead of a declaration of war, President Jefferson employed the embargo as a form of economic pressure on Great Britain.

neighbouring States. From the present prospect it may be safely relied upon that a great sufficiency of volunteers will turn out to answer the demand. I have no hesitation in saying that the late attack made on the American ship the Chesapeake has created a spirit of unanimity and resentment throughout the whole of the United States, that have not been surpassed since the settlement of America, and opportunity is only wanting in which they would sufficiently chastise the Nation who could without provocation be guilty of such aggressions.

Two respectable citizens in the course of the last Spring and Summer have been murdered by some of our neighbouring Indians. The executive has taken all the means in his power to discover the aggressors, but as yet without effect, but intends continuing a further inquiry until a discovery shall be made in order that the perpetrators may be punished agreeable to the demerits of their crimes.

Some laws passed by our General Assembly, particularly what is called the Land Law, are very much reprobated in many parts of the State, and in several instances been likely to occasion serious consequences. Much clamor has been made, complaining of newly created affairs alledging they were contemplated more for the emoluments of individuals than to answer any public utility. I shall forbare saying more on this subject as you are the immediate representatives from every County within the State, and your collective knowledge and information must be more comprehensive than my own. I have no doubt you will take immediately the whole under your consideration, and make such alterations, amendments and retrenchments, as you in your wisdom may deem suitable and necessary. Many that are settled on unlocated lands were by an act of the last Assembly allowed a preference and short indulgence to enable them to secure their improvements, but there being no legal and certain mode by which such *occupiers* could procure warrants they have become alarmed fearing their labour should become lost, by means of others laying warrants already in existence under former laws of North Carolina, on their improvements. Permit me to suggest, should such advantages be encouraged it would only benefit a few individuals, ruin and distress many poor families and by no means tend to promote the public utility. Those occupants, tho many of them poor, are a servicable class of people and have their usefulness in all governments, and are much entitled to the guardianship and protection of the representatives of their country, who

I have no doubt will relieve from any further apprehensions of losing their improvements. The landed property of this State is meriting the highest consideration and demands the most serious and deliberate attention of the Legislature who will no doubt devise such measures as will render secure the legal and lawful holders thereof and by no means suffer them to be longer shackled with impediments that will sink the value of the same, after being recovered by a long and tedious course of law. Such circumstances render our most dear and best property of far less value and is highly injurious to the settlement and population of our State. The common and usual mode of taxation is amply sufficient to serve all the purposes of revenue and may be lessened, if thought necessary, provided no unnecessary expenditures are resorted to. The overplus and residue of the lands lying South of French Broad and Holston, exclusive of that allotted for the establishment of seminaries of learning, will be a desirable object for the purpose of appropriating the proceeds of the same to useful purposes, which may be considerable, in the opening the navigation of our rivers, cutting and cleaning out roads, erecting public buildings and useful manufactories. To all which, together with that of the public seminaries already provided for, I earnestly call your attention. The emigration into the State within the last twelve months exceed any thing of the kind that has heretofore taken place and it will be incumbent on the Legislature, as soon as practicable, in order to extend our settlements, to procure further relinquishments of our territorial claims which, I have no doubt, can be without difficulty obtained. The sooner so desirable an object can be procured so much greater in proportion will the interest of your constituents be promoted. Whenever the same can be effected it will most certainly place Tennessee amongst the most enviable and easy situations in the Union.

Humanity and policy call aloud for a revisal of the criminal code of our laws; experience has led the greater part of our most respectable sister States to abolish the inhuman and prompt mode of punishing with death those unhappy wretches who violate the laws of their country, and have substituted other modes (tho not exempted from punishment,) which greatly ameliorate the suffering of humanity and the culprit, and softens the distress of the unfortunate friends and relatives. Those States who have made the experiment give the property of the citizen to be equally if not better secured and protected than by those sanguinary laws. Would it not be highly worth the consideration of the Legislature to introduce

some other mode lieu of the present whereby there would not be such repeated examples of cruelty exercised under the law of a republican government?

The past season has not been so propitious to our crops as it has in a common way heretofore been. It appears that our principal staple article of trade will be much lessened and is also likely to suffer in its value and of course will occasion the article of specie much more difficult and inconvenient to obtain. For your consideration permit me to suggest would it not be advisable and perhaps of greater interest to the State for the government to accept on the first instalments payable for lands on the south side of French Broad and Holston Rivers, from all those who may find it inconvenient to discharge the same, interest on the said instalments. I have the greater confidence in the propriety of such a measure as, in the first place, the lien on the lands will be continued as a sufficient security and in the second the interest will increase the funds of the State.

I am bound to state to your honorable body that I deeply regret the idea of being again involved in all the horrors of a barbarous and unnatural war, but at the same time am very consoled by believing and hoping our National Government has given no cause for the bringing about the calamity. I pray Heaven may avert the appeal to arms and blood shed, but should the direful event be inevitable I shall rest with the fullest confidence that your patriotism will be such as to afford all the aid in your power and that one sentiment alone will actuate and inspire us all with a full determination to defend to the last extremity our injured and insulted country. I deem it necessary to inform you that Hugh L. White, Esquire, one of the Judges of the Superior Courts of Law and Equity, has resigned and that William Maclin, Esquire, has resigned his office as Secretary of State. Temporary appointments have been made, and as they are important offices it may be proper to speedily supply the vacancies with permenent appointments.

Such for the present are the communications I deem necessary to lay before you. Sundry others in due time will be presented in the Course of the Session.

Knoxville, 24th Sept, 1807.

Knoxville, 2d August, 1807.

Sir: You will perceive by the enclosed copy of a letter from Robert Koyl[38] that a certain John Prigmore has been lately murdered by the Indians.

A certain Leonard Cash was also murdered last Spring in the neighbourhood of Flint River, and afterwards found in the Tennessee, with his body ripped open and head cut off, with other mutilations of as egregious nature. I have been farther informed (not official) that one other person has been murdered near the Shoals, said to be done by the Creeks. Such enormities are of too agravating a kind, and such as will not be longer suffered to be committed on any of the citizens of Tennessee. I request you will be good enough to make diligent enquiry in order to discover the perpetrators that they may be dealt with agreeably to existing treaties, and the laws in such cases made and provided. I am unwilling to believe that the Cherokee chiefs would countenance such outrages; but, should it be discovered to be otherwise, their situation may soon become very disagreeable, unless they finally put an end to such aggressions. I shall expect that the Cherokees will make every necessary enquiry to discover the offenders; and, if found among their people, to make an immediate Surrender of the guilty person or persons. In so doing they will wipe away the foul stain that seems to be hanging over their Nation.

Colonel Meigs.

Knoxville, 20 December, 1807.

To the Black Fox, Head Chief of the Cherokee Nation,

Brother: Your letter of the 27 of August last has come duly to hand. I would have wrote you sometime ago, but was waiting to get a report from Colonel Meigs to find out, if in our power who or what Nation of people had murdered some of our citizens.

The Colonel about that time was going to Elk River, and promised he would endeavour to find out who had done the mischief Since his return he has written to me, giving information that it was the Creeks that killed the two men. I am glad to hear it was not your people; but at the same time I am sorry to learn you suffer the Creeks to come so much among you, when you know they are

[38] Robert Coile (or Kyle) of Hawkins county. J. H. DeWitt, "Journal of John Sevier," *Tenn. Hist. Mag.*, V, 184.

enemies to our people, and always do mischief whenever they have it in their power. Would you not think it unfriendly in us, if we have to suffer another Nation of people to pass through and live in our country, who would murder and destroy your people whenever they had an opportunity? Yes, brother you would think, and rightly too, that we did not act like friends. I am informed that the Creeks have built huts, and are living on the banks of the Tennessee. What business have they there? They have none only to be convenient to kill some of our people, and plunder our boats as they are going down the river. You know the Creek people are rogues, and you say steal from and rob your people. If it be true, why don't you drive them from out your country? For a people who both murder and steal ought not be suffered to live in any place. You are surely able to drive away the few that comes to do mischief, and disturb the peace of your people and ours. If their nation means to protect them in their murdering and plundering excursions, you then know where you can resort to for protection and strength enough to do yourselves justice. I state these circumstances to inform you how you ought to conduct towards the white people, who are your fathers, brothers, friends, and your good neighbours. I don't wish to be angry with you, but to enlighten your understandings that you may know how to take care of your own Nation (if you wish to continue such); and for you to prevent a bad people from doing damage to your nearest and best friends. You say "that when any thing has been wrong we are advised to settle it without spilling blood." Such is the practice I wish to see adopted; and, if the red people that killed our good and harmless men, had observed such a good rule, those poor murdered persons would have yet been living with their families, and their blood not spilt. I have written to the Creeks, and shall wait patiently to hear what they have to say; and, if it has been any of their people that committed the murders, I shall expect they will punish them agreeably to the existing treaties and laws established and provided for such cases. Should they refuse so to do, we shall then know what sort of people we have to deal with, and be prepared to protect our selves.

Some more occurrences, my friend, I must inform you of. There are several complaints come forward, stating that several white people, who have traveled by the way of what is called the Georgia Road, have been very illy treated by some of your people, their property taken from them and their lives threatened and endangered. A fellow called Good, or Sweet Water, at the Shoomake Village,

lately killed some of Mr. Lusk's hogs as he was driving through your nation to Georgia. He also presented his gun at Mr. Lusk (who is a very peaceable man) and threatened to shoot him. I shall rely, with confidence, you will enquire into those outrages, and put an immediate stop to such unfriendly and disorderly behavior, and also cause a just and full compensation to be made for the damages that have been done.

The way open for the redress of those complaints is to put an end to the outrages that produce them, and I persuade myself that the Chiefs of the Cherokee Nation, will take prompt and decisive Measures to effect it.

Care of Colo. R. Meigs, Agent of Indian affairs.

Knoxville, 20 December, 1807.

The Agent and Superintendent of the Creek Nation,

Sir: Early in the last spring and summer two men, citizens of Tennessee, in the vicinity of Elk River were murdered and robbed of their property in a most barbarous and egregious manner. Myself and Colo. Meigs, agent for the Cherokee Nation, have been at considerable trouble and pains to find out and ascertain who were the perpetrators of such shocking and unprovoked outrages. From every information we have collected, it appears and leaves with us no doubt that some person belonging to the Creek Nation have been guilty of those atrocious and horrid murders. I am unwilling to suppose that the Creek Chiefs would be base enough to encourage or countenance such flagrant and violent breaches of the treaties, which subsist between them and the United States. I therefore request that you will have, or cause to be had, an immediate enquiry and investigation; and discover, if possible, who have been the perpetrators of such bloody and inhuman murders; and if committed by any of the people belonging to the Creek Nation that you cause them to be instantly punished agreeably to the existing treaties and laws of the United States, made and provided for in such cases; otherwise, to deliver them to the proper authority in order they may be dealt with conformably to the treaties and laws aforesaid.

It is a fact that parties of the Creek Indians have crossed the Tennessee frequently in the course of the last spring and summer, and as frequently (exclusively of the murders alluded to) wan-

tonly robbed and plundered a number of peaceable and helpless families. Such enormities will not always be submitted to, and in order to support peace and harmony, the Executive of Tennessee most earnestly requests that the Chiefs will immediately repress and put an end to such violent outrages, and cause lawless bandittis to remain within their own bounds. The Executive is penetrated with a due friendship to the Creek Nation; he might enlarge further on such a state of things, and circumstances so important and so unexpected, but it would be as afflicting to him to state the facts, as it would be for you to hear them.

Marble Springs,[39] 23 June, 1809.

Dear Sir: With the approbation of Colo. Meigs I have requested him to invite the Cherokee Chiefs to a meeting at the garrison[40] on

[39] Marble Springs in Knox county—a county abounding in the widely known and used Tennessee marble—was the last home of John Sevier. It stood on the right side of Martin Mill Pike about six miles south from the city, in a secluded and picturesque spot near Neubert Springs. A bold spring there rushes from a little hill, a spur of Bay's Mountain. From entries in his *Diary*, Sevier seems to have removed his family from his plantation on the Nolachucky in Washington county to Knoxville, Sept. 5, 1797. He lived in the town for quite a while. It is likely that he purchased the farm at Marble Springs with the purpose of moving there as soon as it could be placed in condition: "Friday, Sept. 15, 1797. Paid $4.50 for grubbing one acre and a half of ground at my plantation, and for grubbing done some time ago."

It is said there was standing at the time an old log station, erected by the former owner as protection against the Indians, and that this was enlarged by Sevier from time to time, tacking one portion to another "till the structure more resembled a hamlet than a single dwelling." Sevier at first occupied a frame residence on the southwest corner of Cumberland Avenue and Water (Central) Street, in Knoxville, but he planned to have a town residence of brick. When, however, this brick building reached the top of the basement story, Sevier found that to complete it would overtax his then depleted purse. The lot and building, completed by another, are near St. John's Episcopal Church in Knoxville. It was owned and occupied for many years by Rev. Dr. James Park, of the Presbyterian Church.

Sevier's residences in Tennessee appear to have been, first, in the Keywood neighborhood near Shelby's Fort (Bristol); in Turkeytown neighborhood in Carter county, near the home of his father who lived on the Watauga across from the present great textile plants near Elizabethton; probably for a short while on the site of Telford Station, Washington county, where Sevier had a mill; then the homes, "Mount Pleasant" and "Plum Grove," on the Nolachucky River, Washington county; the temporary Knoxville home; and "Marble Springs," where he lived during his last years. Gilmore, evidently relying upon conversations with Ramsey, the historian, says: "The principal apartment in the Governor's house was the reception room, which occupied the whole of one of the cabins, and was furnished in a manner approaching elegance, its puncheon floor being partly covered on great occasions with an imported carpet which had been presented to the Governor's wife, as the lady was universally styled, by some one of her seaboard admirers. But the precious rug never made its appearance except to honor some distinguished guest—some high official or titled foreigner. They were no sooner gone than it was carefully dusted and rolled away to one side of the room by Jeff and Susy, old servants, who had

the 20th August to commence our negotiations, which I hope will meet your expectation and concurrance. I presume you have made your calculation what sum you think may be necessary for carrying the treaty in its exterior position into effect. On this subject please write me, and I will endeavour to have provision made either with money or warrants to the amount, what ever may be ultimately required, for fully effecting and compleating the contemplated object. I have only requested the Chiefs to be invited, as I wish to avoid as much as possible all unnecessary expenditures. From both written and verbal communications immediately from the nation I have reason to anticipate a favourable treaty,[41] unless prevented by some persons whose interest would induce them to prevent it, if in their power.

Gen'l James Robertson.

Knoxville, 6th August, 1809.

Sir: I received your letter of the 31 July Ult. I am sorry the Indian Chiefs cannot attend before the 25th Sept., and what has induced them to postpone the meeting is strange to me. I have seen several persons out of the Nation who informed me the Indians were preparing to meet on the 20th August. I should have no objections to the postponement did it not interfere with the meeting of the Assembly which convenes on the 18th September; and, my be-

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been reared in the family." J. R. Gilmore, *John Sevier As A Commonwealth Builder* (New York, 1887), 311, confirmed by Putnam, the historian; Heiskell, *Andrew Jackson,* I, 364. Gilmore, as was his failing as historian and biographer, expanded by drawing on his imagination in the further statement: "The carpet was never known to remain on the floor overnight but on the single occasion when, in 1798, Louis Philippe and his brothers were on a visit to the Governor." The future king of the French visited Knoxville in April, 1797, before Sevier's family had left his Washington county home, and the only note in his *Diary* of this visit is: "April 29, 1797. Several Franchmen arrived, sons to the late Duke of Orleans," Williams, ed., *Early Travels,* 436.

The John Sevier Chapter, D. A. R., of Johnson City, marked the site of one of Sevier's Nolachucky homes on August 23, 1934 (sesqui-centennial of the beginning of the State of Franklin movement). The marker is of river rock capped by limestone blocks taken from the chimney of the home which is all of the residence that yet stands. The home and marker are on the John Sevier State Highway, leading from Embreeville to Greeneville.

[40] The new garrison at the mouth of the Hiwassee, called Hiwassee Garrison. Meigs spelled it "Highwassee."

[41] On this contemplated treaty see another letter of Sevier to Robertson under date of April 11, 1809, in *Am. Hist. Mag.* (Nashville), V, 258. The treaty seems not to have been consummated, as none of that or the succeeding year appears in Royce, *Cherokee Nation.* See, also, correspondence in *Am. Hist. Mag.* (Nashville), V, 262-267.

ing a member,[42] places it out of my power to attend the treaty, which is absolutely necessary for me to do, as I have been engaged in making preparations for some time on that head. I am also fearful that the putting off so long will be inconvenient for General Robertson, who I expect in the Nation on his way to the treaty.

If the Indians cannot convene before the 25th of September, I am doubtful we can attend before late in October, or first of November, of which I will advise you so soon as I may hear from the General.
Colonel Return J. Meigs, Agent of Indian affairs.

Knoxville, 2 Sep., 1809.

Sir: On consulting General Robertson on the subject of the treaty he appears to be of opinion that as the Cherokee Chiefs did not choose or could not attend the time first proposed and to which they were invited, that we cannot on our parts make it convenient to commence the negotiation before the first day of December next, and in which opinion I myself coincide; and hope it will be fully as convenient, if not more so, to the Chiefs to meet us on that day to which time I beg you will please to notify and invite them:—I hope by this postponement, we shall get rid of a number of troublesome and jealous pated fellows, who will be out hunting, and I wish as much as possible to avoid the company of all such. And also inform Messers. Clark and Lyon[43] of the intended time.
Colonel Meigs.

Knoxville, 18th September, 1809.

Sir: Yours of the 15 Inst., I have been duly honored with; and I am extremely happy to find that yourself and General Robertson agree so perfectly in regard to the time of holding the treaty. In regard to my own ideas on the subject am of opinion for various reasons that about the first of December will be the most proper time as it could not be held on the time first proposed, on which I have advised you in my letter of the 2d instant, which I presume

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42 Sevier represented Knox county in the Senate of the General Assembly of 1809, which met just as he left the gubernatorial chair. Next he was sent to Congress, 1811-1815, from Hamilton District of Tennessee. He died while yet a member of Congress.

43 Probably Thomas N. Clark of Kingston and Lyon of Bledsoe's Lick, Sumner county and later of Carthage.

ere this has went to hand. We shall not on the new arrangement be pestered with the rabble part of the Nation that at most other seasons would attend, by which means shall save a considerable expense, which we wish to avoid as much as possible. Any arrangement you may think proper to make with respect to the Kentucky convention with the Chickasaws will be perfectly agreeable to us, so as to suit your own convenience and not interfere with the meeting here. I most cordially agree with you that to procrastinate will answer very good purposes, and will in the end finally ensure success. I hope you will procure some confidential person to attend the meeting at Willstown[44] on the 24th. It will be of great importance to know of their conclusion. From information recently obtained the persons that seem most obstinate are those we knew to be friendly. No unfavorable circumstance I shall most certainly attend the treaty in person.[45]
Colonel Meigs.

[THE END]

[44] A town of the Cherokees in North Alabama.

[45] The Executive Journal ends, as it began and continued, much devoted to Indian affairs—a fact commented on by the editor in the first installment. The clearing of Tennessee soil of the Indian title, and eventually, of the Indians themselves, was the main purpose of Sevier's administrations as governor.

## NOTES AND NEWS*

The annual dinner of the Society was held at the Andrew Johnson Hotel, Knoxville, on the evening of October twelfth. Upon this occasion Professor E. Merton Coulter, of the University of Georgia, delivered an address, "William G. Brownlow, the Fighting Parson of the Southern Highlands."

Dr. Culver H. Smith, of the University of Chattanooga, won the C. M. McClung Award for 1934, his contribution to the *Publications*, number 6, being "Propaganda Technique in the Jackson Campaign of 1828." Professors Marion Dargan, University of New Mexico, John C. Parish, University of California at Los Angeles, and Arthur P. Whitaker, Cornell University, made the decision as to this award.

Officers of the Society for the year 1935 were elected at the December meeting: Dr. S. J. Folmsbee, president; Miss Ada Fanz, Paul M. Fink and Dr. Culver H. Smith, vice-presidents; Harvey Broome, treasurer; Laura E. Luttrell, secretary; V. M. Queener and Miss Mary U. Rothrock, members of the executive committee. As the term of service on the editorial board of Dr. W. Neil Franklin and Dr. William B. Hesseltine had expired, Judge Samuel C. Williams and Dr. W. Neil Franklin were elected to serve three years. Dr. P. M. Hamer was again elected managing editor and Dr. W. Neil Franklin, acting managing editor.

At the August, 1934, meeting of the trustees of the University of Tennessee, a member and former president of the Society, James D. Hoskins, was chosen—following the resignation of Dr. Harcourt A. Morgan in order to continue his service as a director of the Tennessee Valley Authority—president of the University.

Dr. Carl S. Driver of Vanderbilt University presented an address, "James Robertson, Land and Indian agent," at the twenty-seventh

*For the most part the items in this section have been collected by Miss Laura E. Luttrell. An exception is the list of Tennesseans in Volumes VIII to XV of *The Dictionary of American Biography*, which represents the work of Mr. Stephen Adkins, student at Maryville College, Maryville, Tennessee, 1934-35. This work was made possible by the Tennessee Emergency Relief Administration.

Unless otherwise noted all dates refer to 1934.

annual meeting of the Mississippi Valley Historical Association, in Columbia, Missouri, April twenty-seventh.

George F. Milton, author and member of the Society's editorial board, delivered an address, "Stephen A. Douglas's Effort for Peace," at the annual meeting of the American Historical Association in Washington, December twenty-seventh.

The American Historical Association will hold its next annual meeting in Chattanooga, in December, 1935.

P. M. Hamer, managing editor of the Society's *Publications,* acting dean of the college of liberal arts and professor of history at the University of Tennessee, is absent on leave during the academic year 1934-35.

Miss Mary U. Rothrock resigned as librarian of the Lawson McGhee Library to become director of the TVA libraries. She had been librarian of Lawson McGhee Library since 1917. Miss Helen M. Harris was elected to succeed her.

During the absence on leave of Professor Verton M. Queener, Dr. W. Neil Franklin is teaching the former's classes in history at Maryville College, Maryville, Tennessee.

It is anticipated that the papers of the Territory of the United States South of the River Ohio, generally spoken of as the Southwest Territory, will be published during the year 1935. The first three volumes of the territorial papers, consisting of a preliminary introduction to the series and two volumes of papers of the Northwest Territory, are now off the press. Professor Clarence E. Carter has edited the papers of the Southwest Territory and they now await an appropriation of Congress for their publication.

The Tennessee Folklore Society was organized in November at Cookeville. About fifty people met, upon invitation of Dr. J. A. Rickard, at the Tennessee Polytechnic Institute. The object of the society is to study, collect, preserve and publish the folklore of the state. Officers were elected as follows: Dr. Charles S. Pendleton, of Peabody College, president; Dr. H. L. Upperman, of Baxter Seminary, Dean E. R. Hunter, of Maryville College, and Miss Fannie B. Kiser, of Goodletsville, vice-presidents; Dr. J. A. Rickard, secretary and editor; Miss Maude S. Terry, treasurer.

The United Daughters of the Confederacy, founded at Nashville, in 1894, celebrated its fortieth anniversary, September tenth. The establishment of the *Southern magazine,* official publication of the organization, issued at Wytheville, Virginia, was the most important accomplishment of 1934.

The sesquicentennial of the founding of Clarksville, Montgomery county, was celebrated June tenth to thirteenth. A giant parade, an historical pageant and visits to places of historical interest in the town and vicinity were features of the celebration. C. W. Bailey, Mrs. Bryce Runyon, Rev. Arthur A. Whittle, author of the pageant, and H. D. Pettus were the leaders in charge of the festivities.

The City Association of Women's Clubs, of Knoxville, produced, November eighth, an historical pageant of East Tennessee which was written by Mrs. L. S. Mayer. The East Tennessee Historical Society, with the aid of Washington College, enacted one of the scenes.

The new federal postoffice and courthouse, at Knoxville, was dedicated February 15, 1934. Addresses were delivered by Hon. Karl A. Crowley, general solicitor of the postoffice department, and Congressman J. Will Taylor. The building occupies an entire block between Main and Cumberland avenues, and Walnut and Locust streets. It is built of marble, quarried in Knox county, with a base of granite. In connection with this event a sketch of the history of the Knoxville postoffice and of its postmasters from George Roulstone, the first one, to John J. Graham, present postmaster, was published in the *Knoxville Journal* of February fifteenth.

The Natchez Trace Association of Nashville was organized in May "for the purpose of arousing interest in the proposed development by the federal government of the old Natchez Trace road into a national highway." A federal appropriation of $50,000 has been made for a survey of the road. P. M. Estes was made president of the association; Judge John H. DeWitt, vice-president; and T. A. Springfield, secretary-treasurer. The Natchez Trace passed through the Tennessee counties of Davidson, Williamson, Maury, Lewis, and Wayne. The monument at the grave of Meriwether Lewis is on the Natchez Trace.

DeMonbreun Cave, in Nashville, on the west bank of Cumberland River, was opened to the public April thirtieth. Members of the

Tennessee Historical Society, of the Colonial Dames, descendants of the pioneers, and others were present to witness the formal opening ceremonies. Judge John H. DeWitt read the history of Timothy DeMonbreun. He commended Philip H. Hicks, owner of the property upon which the cave is located, for making the latter available to the public. The local chapter of the Colonial Dames plans to erect a bronze marker at the entrance of the cave. Timothy DeMonbreun, trader and French army captain, and his wife lived in the cave one winter between 1760 and 1775. Their son, William, born in the cave, was the first white child born in Middle Tennessee. Descendants of DeMonbreun live in Davidson county and some of them were present at the official opening.

The New Prospect Presbyterian church, Knox county, celebrated its centennial in November. The Reverend H. E. Orr, a former pastor, presented a history of the church, which is included among the contributions to the present number of the *Publications*.

The Centenary [Methodist Episcopal] church, Chattanooga, celebrated its one hundredth anniversary, in September. L. M. Thomas, Dr. O. Y. Yowell, Miss Mark Parks and E. H. Lawman had been chosen to make preparations for the celebration. Features of the occasion were sermons by Reverend C. K. Wingo, pastor; by Dr. J. Stuart French and Dr. J. W. Moore, former pastors; and by Bishop W. N. Ainsworth; also a pageant depicting the local history of Methodism.

The First Presbyterian church, of Trenton, Gibson county, held a centennial celebration, November sixth. Dr. J. E. James, pastor, presided. A history of the church was read by Judge W. W. Herron.

A marker was unveiled at the homesite of John Sevier, at Embreeville, Washington county, on August twenty-third, the anniversary of the formation of the State of Franklin. The dedication was sponsored by the John Sevier Chapter of the Daughters of the American Revolution.

An official Sons of the American Revolution marker was placed upon the grave of Isham Beasley, revolutionary soldier, near Carthage, Smith county, August eleventh. The S. A. R. participated in the dedication of the marker, which was unveiled by two descendants of the soldier. Mr. Orville Vaughn, of San Francisco,

president of the California S. A. R., donated the monument to his ancestor and was one of the speakers. An address was made by Dean E. C. Arnold, of Vanderbilt Law School and president of the Tennessee Society, S. A. R.

The grave, in Rhea county, of James Ferguson, a revolutionary soldier, was appropriately marked, May tenth, by the Judge David Campbell Chapter, Daughters of the American Revolution. Miss Bessie Magill, regent, presided. Reverend Charles L. Cox, of Dayton, read a history of the soldier-pioneer of Rhea county, 1820; Charles White Ferguson, a great-great grandson, unveiled the marker.

The Alumni Memorial building of the University of Tennessee was formally dedicated to the university's "war dead," October twenty-seventh. General Cary F. Spence led the ceremonies. The Spanish-American war veterans were represented by General Harvey Hannah, of Nashville; the World War veterans by Captain Walter Chandler, of Memphis.

The Audigier art collection, a memorial to the late Mrs. Ella Swan Audigier, was formally presented to the University of Tennessee, June 4, 1934, by the donor, L. B. Audigier, formerly a resident of Knoxville. The collection, largely Italian, is housed in the University Library building.

With the financial backing of the federal government a 10,000 acre tract of land on the Cumberland plateau in Cumberland county, near Crossville, was purchased by Cumberland Homesteads Incorporated. The purpose is to provide homes and a living for some of the unemployed. The occupant of a home, with its accompanying fifteen acre tract, is given twenty years in which to pay off the mortgage upon it held by the federal government. Plans were made by William M. Stanton, Philadelphia architect. F. O. Clark, TVA engineer, is general manager of the project. In January, 1934, a number of CWA employees began the work of clearing land and the first buildings, which were barns, were soon under way. Before the end of the year a number of families, that had been living in barns, moved into their completed and permanent homes. A number of the houses are built of Crab Orchard stone.

J. Frazier Smith, Memphis architect, was made supervisor for Tennessee of the historic American building survey conducted as a

relief project under the direction of the federal department of the interior. In each county of the state a list of historic houses was made and local architects made measurements, plans and specifications of a selected number of buildings. The Blount Mansion, at Knoxville, home of the governor of the Southwest Territory, was one of those designated for a minute study. The plans are to be preserved in the Library of Congress.

Major W. S. Webb, head of the department of anthropology and archaeology at the University of Kentucky and archaeologist for the TVA, had the Norris dam reservoir section excavated wherever Indian mounds, etc., could be located. Skeletons and artifacts found are to be studied and preserved.

A department of archaeology at the University of Tennessee has been organized by Professor T. M. N. Lewis. Courses in this subject will be offered in 1935-36. Excavations are being made in Indian mounds along the French Broad River, in the vicinity of Dandridge. The work is being done by a number of men supplied by the TERA, and supervised by Professor Lewis. Relics secured in this way are to be preserved in the proposed University archaeological museum.

Among the many visitors to the Tennessee Valley were President and Mrs. F. D. Roosevelt, in November. Mrs. Roosevelt had made a visit to the Norris dam and to the town of Norris in July. She came again with the president. Later they visited and were entertained at the Hermitage.

Governor Hill McAlister was reelected in November, 1934, for a a second term and the inauguration ceremony was held in Nashville in January, 1935.

Leonard S. Goddard, a former editor of a Maryville newspaper, was appointed, January 23, 1934, associate justice of the supreme court of the Philippine Islands.

In recognition of her research in local history, Miss Zella Armstrong, author, editor, and publisher, was named by the Hamilton county court, at its January, 1934, session, historian of that county.

Mrs. Benton McMillin, widow of the late Governor McMillin, was appointed by President Roosevelt one of the three civil service com-

missioners. She was formerly Democratic National Committeewoman of Tennessee.

Ex-governor Henry Hollis Horton died at Chapel Hill, Tennessee, July 2, 1934. He was born February 17, 1866, at Princeton, Alabama. As speaker of the Senate of Tennessee he succeeded to the governorship in 1927 upon the death of Governor Austin Peay. He was succeeded in 1933 by the present governor. His burial was in Lone Oak Cemetery, Lewisburg.

Will Allen Dromgoule, poet and novelist, and literary editor of the *Nashville Banner,* died at her home in Nashville, September first. She was buried in Murfreesboro, the place of her birth and her former home. She was the author of *The Heart of Old Hickory;* also, of numerous short stories, poems and plays.

John Knight Shields, former chief justice of the Tennessee supreme court and ex-United States Senator, died September 30, 1934, at his home, Clinchdale, in Grainger county.

Judge John Preston Young, Memphis historian and jurist, died June 7, 1934. Judge Young was born April 18, 1847, at Chulahoma, Mississippi. In the last year of the war between the states he joined Forrest's cavalry. He was educated at the University of Mississippi, and later served many years as judge of the circuit court of Shelby county. In 1912 he became president of the Memphis Historical Society. He was a member of other historical societies, a contributor to the *Tennessee Historical Magazine* and to the *Proceedings* of the Bar Association of Tennessee, and was author of *The Seventh Tennessee Cavalry (Confederate)* and *Standard History of Memphis.*

A view of Mt. LeConte in the Great Smoky Mountains National Park, made by Thompson Brothers, Knoxville, was used on the 10-cent denomination of the national park series of stamps which was issued October eighth. The first day sale of the stamps was at Gatlinburg. Letters were mailed to places all over the world.

Brief historical sketches of the churches of Knoxville are being published in the Monday issues of the *Knoxville Journal* under the title, "Meetin' in the Meetin' House." Ray D. Webb and Sam

Adkins are the authors. A number of historical articles on Methodism were contributed by Dr. I. P. Martin to the *Journal.*

*The Herald* (Cleveland, Tenn.) publishes occasional historical articles by Reverend John M. Wooten. "Red Clay, Council Ground of Cherokees" was printed in the issue of December 14, 1934.

In several issues of *The Knoxville News-Sentinel* were published letters written by Reverend Gideon Blackburn, who established mission schools among the Cherokee Indians.

Mrs. Penelope J. Allen, in the genealogical department of the Sunday *Chattanooga Times*, has published in 1934 histories of more than thirty families, also records of several counties.

In the News and Notes section of the East Tennessee Historical Society's *Publications,* No. 4 (1932), appeared a list of Tennesseans, sketches of whom had been included in the first seven volumes of the *Dictionary of American Biography.* Subsequently there has been brought forth eight additional volumes of the *Dictionary*, in which have been noted sketches of the following Tennesseans: Felix Grundy (1777-1840), criminal lawyer, jurist, and statesman; William McKendree Gwin (1805-1885), politician; James Theodore Harahan (1841-1912), railroad official; William Selby Harney (1800-1889), Confederate soldier; George Washington Harris (1814-1869), humorist; Isham Green Harris (1818-1897), Senator and governor; John Coffee Hays (1817-1883), soldier, surveyor; John Haywood (1762-1826), jurist, historian; Robert Andrews Hill (1811-1900), jurist; Thomas Tennessee Hillman (1844-1905), industrialist; Leonidas Campbell Houk (1836-1891), Congressman, Union soldier; Samuel Houston (1793-1863), soldier, Congressman, governor, president of Texas republic; Robert Boytê Crawford Howell (1801-1868), Baptist clergyman and writer; David Hubbard (c. 1792-1874), politician, Congressman; Thomas William Humes (1815-1892), Protestant Episcopal clergyman, and first president of the University of Tennessee; West Hughes Humphreys (1806-1882), jurist; John Hamilton Inman (1844-1896), merchant, financier, Confederate soldier; Samuel Martin Inman (1843-1915), merchant, philanthropist, Confederate soldier; Andrew Jackson (1767-1845), seventh president of the United States; Howell Edmunds Jackson (1832-1895), jurist, Senator; William Hicks Jackson (1835-1903),

Confederate general, stock-breeder; Andrew Johnson (1808-1875), seventeenth president of the United States; Bushrod Rust Johnson (1817-1880), Confederate soldier; Cave Johnson (1793-1866), Congressman, postmaster-general; David Bancroft Johnson (1856-1928), educator; James Chamberlayne Jones (1809-1859), governor, Senator; William Palmer Jones (1819-1897), physician and psychiatrist; Edward Southey Joynes (1834-1917), educator and writer; John McLeod Keating (1830-1906), journalist, author; David McKendree Key (1824-1900), lawyer, Confederate soldier, Senator, judge, postmaster-general; Austin Augustus King (1802-1870), judge, Congressman, governor of Missouri; Tidence Lane (1724-1806), pioneer Baptist minister; William Berkeley Lewis (1784-1886), planter, politician; John Berrien Lindsley (1822-1897), physician, clergyman, and educator; Philip Lindsley (1786-1855), educator, and Presbyterian clergyman; Horace Harmon Lurton (1844-1914), jurist; David Rice McAnally (1810-1895), Methodist clergyman, educator, and journalist; Ben McCulloch (1811-1862), Texas and Confederate soldier; John Berry McFerrin (1807-1887), Methodist clergyman; Charles McClung McGhee (1828-1907), financier; Joseph McMinn (1758-1824), governor; Holland Nimmons McTyeire (1824-1889), bishop of Methodist Church, South; Walter Malone (1866-1915), jurist, poet; George Earl Maney (1826-1901), Confederate soldier, lawyer, and diplomat; John Leake Marling (1825-1856), journalist and diplomat; Matthew Fontaine Maury (1806-1873), naval officer, oceanographer; Horace Maynard (1814-1882), Congressman and Unionist; Return Jonathan Meigs (1801-1891), lawyer; Richard Pius Miles (1791-1860), Catholic prelate; John Trotwood Moore (1858-1929), author and journalist; Mary Noailles Murfree [pseudonym Charles Egbert Craddock] (1850-1922), novelist and short story writer; John A. Murrell (1804-1844), outlaw; David Nelson (1793-1844), Presbyterian clergyman, educator, and abolitionist; William Truslow Newman (1843-1920), Confederate soldier, federal judge; Alfred Osborne Pope Nicholson (1808-1876), Senator and jurist; Julius Ochs (1826-1888), merchant, promoter of civic welfare; Oconostota (d. 1785), Cherokee chief; Charles Osborn (1775-1850), abolitionist; James Hervey Otey (1800-1863), first Protestant Episcopal bishop of Tennessee; John Overton (1766-1833), jurist, pioneer and politician; Robert Paine (1799-1882), bishop of the Methodist Church, South; Austin Peay (1876-1927), governor; James Phelan (1856-1891), author, Congressman; Gideon Johnson Pillow (1806-1878), soldier, lawyer; James Knox Polk

(1795-1849), eleventh president of the United States; Lucius Eugene Polk (1833-1892), Confederate soldier; William Mecklenburg Polk (1844-1918), physician, Confederate soldier; James Davis Porter (1828-1912), governor, educator; James Priestley (d. 1821), educator; Jeter Connelly Pritchard (1857-1921), Senator from North Carolina, federal judge; Henry Hugh Proctor (1868-1933), Congregationalist clergyman; Charles Todd Quintard (1824-1898), physician, and Episcopal bishop of Tennessee; James Gettys McGready Ramsey (1797-1884), physician and author; Richard Clark Reed (1851-1925), Presbyterian clergyman, professor of theology, author; John Rhea (1753-1832), Congressman; James Daniel Richardson (1843-1914), statesman and Masonic leader; Major Ridge (1771-1839), leader of the treaty party among the Cherokee Indians; Archibald Roane (1759-1819), governor.

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